



2026:CGHC:24801



2026:CGHC:24801

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 879 of 2026

Devesh Tiwari S/o Nilesh Tiwari Aged About 29 Years Caste Bramhin R/o Village Post Pakin Police Station Singhoda Tehsil Saraipali District Mahasamund C.G. **...Applicant**

versus

State Of Chhattisgarh Through- Station House Officer, Police Station Singhoda District Mahasamund C.G. **...Non-applicant**

For Applicant : Mr. Gurudev I. Sharan, Advocate.

For Non-applicant/State : Ms. Monika Thakur, Panel lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

18.06.2026

1. The applicant has preferred this First Bail Application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 44/2026, registered at Police Station : Singhoda District Mahasamund (C.G.) for the offence punishable under Section 69 of the BNS.
2. As per the prosecution case, Police Station Singhoda, District Mahasamund registered the present crime on the basis of a written



report lodged by the complainant. It is alleged that the complainant and the applicant were in a love relationship for the last 6–7 years. According to the complainant, although the applicant desired to end the relationship during the last one year due to differences in caste, he continued to assure her that he would marry her and, on the strength of such promise, maintained physical relations with her and took her to various places outside the village. It is further alleged that as a result of the said relationship, the complainant became pregnant. Thereafter, whenever the complainant raised the issue of marriage, the applicant allegedly kept giving false assurances and avoided solemnizing the marriage. The complainant further alleged that on the date fixed for marriage, she approached the police station, whereupon the parents of the applicant arrived and persuaded her to return, assuring that the marriage would be solemnized before the Court. However, despite such assurance, the marriage was not performed. It is further alleged that on 02.05.2026, the applicant and his family members threatened to assault the complainant's father and drive him out of the village. Apprehending danger and harassment, the complainant lodged the report, on the basis of which the present offence came to be registered and investigation was set into motion.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case registered at Police Station Singhoda, District Mahasamund on the basis of a motivated complaint lodged by the complainant. It is contended that the complainant and her family, who originally hailed from Odisha, came to Village Pakin in the year 2018-19 and started residing there by encroaching upon a house in the village. Complaints



were allegedly made by the villagers regarding their activities, pursuant to which a village meeting was convened during the tenure of the applicant's mother as Sarpanch, and the complainant's family was asked to leave the village in the year 2019. It is further submitted that after a gap of about four to five years, the complainant and her family returned to the village and again occupied a house, leading to disputes with the applicant's family. Owing to such previous enmity and village disputes, the complainant has falsely implicated the applicant in the present case. It is further submitted that the applicant's marriage had already been fixed in June, 2024, his ring ceremony was solemnized in November, 2025, and the marriage was ultimately performed in April, 2026. Significantly, the complainant's father was present during the marriage ceremony, which itself belies the allegations levelled against the applicant. It is also submitted that the investigating agency has failed to collect any cogent material or evidence to establish the essential ingredients of the alleged offences against the applicant. The applicant is a permanent resident of the address mentioned in the cause title, has deep roots in society, and there is no possibility of his absconding or interfering with the due process of law. He is ready and willing to cooperate with the investigation, furnish adequate surety, and abide by all such terms and conditions as may be imposed by this Hon'ble Court. The applicant reserves his right to raise additional grounds at the time of hearing.

4. Learned State counsel opposed the bail application and submitted that the applicant established physical relations with the prosecutrix on the false promise of marriage and continued to assure her of marriage despite her pregnancy. It was further submitted that the applicant



ultimately failed to fulfil his promise and solemnized marriage with another woman. Considering the serious nature of the allegations and the statement of the prosecutrix, it was prayed that the bail application be rejected.

5. I have heard learned counsel for the parties and perused the case diary.
6. Having heard learned counsel for the parties and upon perusal of the case diary, including the statement of the prosecutrix recorded under Section 183 of the BNSS, this Court finds that the prosecutrix has specifically alleged that the applicant had been in a love relationship with her for several years and had repeatedly assured her that he would marry her. It is further alleged that, on the basis of such promise of marriage, the applicant established physical relations with the prosecutrix on several occasions and subsequently took her to various places where he continued to maintain physical relations with her. The prosecutrix has further stated that she became pregnant as a result of the said relationship in October, 2025, and that the applicant persuaded her not to terminate the pregnancy by assuring her that they would live together as husband and wife. The statement of the prosecutrix further reveals that despite repeated assurances, the applicant ultimately failed to honour his promise of marriage. It is also alleged that when the matter was raised before the applicant's family members, they too induced the prosecutrix to return on the assurance that the marriage would be solemnized before the Court. The prosecutrix has further stated that despite her repeated requests, the applicant did not marry her and, instead, solemnized marriage with



another woman on 21.04.2026. Considering the facts and circumstances of the case, the gravity and nature of the allegations, the statement of the prosecutrix, the manner in which the offence is alleged to have been committed, and the vulnerability of the prosecutrix, and without expressing any opinion on the merits of the case, this Court is of the considered view that no case for grant of bail is made out at this stage. Accordingly, the bail application filed by the applicant deserves to be and is hereby rejected.

7. Accordingly, the first bail application of the applicant – **Devesh Tiwari**, involved in Crime No. 44/2026, registered at Police Station : Singhoda District - Mahasamund (C.G.) for the offence punishable under Section 69 of the BNS, is **rejected**.
8. Needless to say that the trial Court concerned is at liberty to proceed and conclude the trial expeditiously.
9. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE