

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2849 OF 2015**

Sunil Kumar Trivedi S/o Shri Mahesh Chandra Trivedi, aged about 53 years,
R/o Qtr. No. 1/F, Street 70, Sector-6, Bhilai Nagar, P.S. Bhilai Nagar, Tahsil
and District Durg (C.G.)

---Applicant

Versus

State of Chhattisgarh, through Police Station Bhilai Bhatthi, Bhilai, District
Durg (C.G.)

---Non-applicant

For Applicant	:	Mr. H.B. Agrawal, Sr. Advocate with Mr. Pankaj Agrawal, Advocate.
For Non-applicant	:	Mr. O.P. Sahu, Govt. Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****01/07/2015**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 34/2015, registered at Police Station Bhilai Bhatthi, Bhilai District Durg (C.G.), for the offence punishable under Sections 420, 467, 468, r/w 34 of Indian Penal Code.

2. Case of the prosecution, in brief, is that Firm owned by wife of present applicant obtained Rs. 22,00,000/- from the Indian Iron & Steel Company, Bijour (U.P.) for supply of billets and blossoms but did not supply the same and thereby cheated the said Company.

3. Learned counsel for the applicant would submit that supply has already been made in the year 2010 itself, which is apparent from the documents filed by the applicant and as such, that Company has already been closed down and in order to recovery of amount in dispute, such a false First Information Report has been lodged against the present applicant, in which, he has been arrested on 15/05/2015.

4. On the other hand, learned counsel for the State would offence the prayer for grant of bail and submit that applicant has cheated the said Company and did not supply the requisite material after obtaining Rs.22,00,000/- and charge sheet has not been filed. He would further submit that documents Annexures- H & I relating to supply of material have been seized from the Company.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; extent of delay in lodging First Information Report; role of the applicant in offence in question and pretrial detention of the applicant, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

9. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
JUDGE