

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.555 of 2015**

Dilip Borkar, S/o Ratiram, aged about 40 years, resident of Gautam Nagar,
Supela, Police Station Supela, Bhilai, District Durg (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through: Station House Officer, Police Station-Supela,
Bhilai, District Durg (Chhattisgarh)

---- Respondent

For Applicant	:	Shri C. R. Sahu, Advocate
For Respondent/State	:	Shri Satish Gupta, G.A.
For Objector	:	Shri A. N. Pandey, Advocate

Order On Board**15/07/2015**

The applicant is apprehending his arrest in connection with crime number i.e.287/2015, registered at Police Station Supela, Bhilai, District Durg for the offence punishable under Section 420, 467, 468, 471 of the Indian Penal Code.

2. Case of the prosecution is that the applicant prepared a forged agreement to sell by the complainant in his favour, whereas he was only tenant of the complainant and the complainant never entered into any such agreement to sell.

3. Learned counsel for the applicant submits that when the applicant started claiming preferential right to purchase on the basis of agreement to sell with the owner, false case has been registered against him. He submits that handwriting expert report has been obtained without obtaining proper specimen signature of the complainant. He also obtained the handwriting expert report by sending specimen signature, which shows that the signature on the agreement are that of the complainant.

4. On the other hand, learned counsel for the State opposes the bail application and submits that present is a case of forgery in order to grab property.

5. Prima facie, in the handwriting expert report filed by the applicant, signature in the agreement are that of the complainant.

6. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the applicant also claims to have obtained report of handwriting expert, in which, it is stated that the signature on the document are that of the complainant, the application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on furnishing a personal bond for a sum of Rs.20,000/ with one local surety in the like sum to the satisfaction of the arresting officer, on the following conditions that:

(I) he shall make himself available for interrogation by a police officer as and when required;

(ii) he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer, *and*

(iii) he shall cooperate with the investigation as and when he is called.

Sd/-

Manindra Mohan Shrivastava
Judge