

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No.559 of 2015**

Pinki @ Chandrakala Lahare D/o Late Shri Chatur Singh Lahare, aged about 27 years, R/o Village Aamasivni Thana Vidhansabha, Tahsil and District Raipur (C.G.)

---- Applicant

Versus

State Of Chhattisgarh through: Central Reserve Vidhansabha, Raipur, Civil and Revenue District Raipur (Chhattisgarh)

---- Respondent

For Applicant	:	Smt. Smita Jha, Advocate
For Respondent/State	:	Shri Satish Gupta, G.A.

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

The applicant is apprehending her arrest in connection with crime number i.e.158/2012, registered at Police Station Thana Vidhansabha, Raipur, District Raipur for the offence punishable under Section 420, 467, 34 of the Indian Penal Code.

2. Case of the prosecution is that the applicant and other accused sold the land which was already sold by them to the complainant and thus, they cheated the complainant.

3. Learned counsel for the applicant submits that the applicant is a young girl in the family. At the time of execution of first sale deed, she was minor and in the second sale deed, appeared as one of the co-owners and by that time, her father had died. At that time of second sale deed, she was only 18 years of age. It is submitted that other applicants have already been granted regular bail. It is lastly submitted that the applicant is a young girl and suffering from mental disease.

4. On the other hand, learned counsel for the State opposes the bail application and submits that the applicant and other accused are equally involved in selling land which was already sold by them.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the applicant was not one of the seller in the first sale deed because at that time, she was minor and she is said to be one of the co-seller at the time of execution of second sale deed and hardly 18 years of age at that time, the application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/ with one local surety in the like sum to the satisfaction of the arresting officer, on the following conditions that:

- (I) she shall make herself available for interrogation by a police officer as and when required;
- (ii) she 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) she shall cooperate with the investigation as and when he is called.

Sd/-

Manindra Mohan Shrivastava
Judge