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HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A). No. 1272 of 2015

1. Amarjeet Sandhu @ Banti, S/o. Late Kartar Singh Sandhu, aged about 50 years, R/o. Prem Vihar, Mahavir Nagar, Raipur, Tahsil and District – Raipur (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, P.S. - Gole Bazar, Raipur, District – Raipur (C.G.)

---- Respondent

For Applicant : Mr. V.R. Tiwari, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

18/12/2015

1. Apprehending arrest in connection with Crime No.166/2015 registered at Police Station- Gole Bazar, Raipur, District – Raipur (C.G.), for offence punishable under Section 420, 34 of Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.

2. As per the prosecution case, Smt. Neeta Dumare entered into an agreement for purchase of the house from one Mandip Singh Gill for Rs.19.00 Lakhs and Rs.4.00 Lakhs was paid as an earnest money and subsequent amount was to be financed. Subsequently it was found that the house was mortgaged with the bank and it was the allegation that this applicant has disclosed the fact that Manjeet Singh Gill, the seller wanted to sell his house.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case. He would further submit that no allegation have been attributed to this applicant and only he has disclosed the fact that Manjeet Singh Gill wanted to sell his

house because of that complainant entered into agreement except that no allegation is made against this applicant and the applicant has not done any mischief or fraud, therefore, the counsel prays that, the applicant may be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel opposes the bail application.

5. I have perused the case diary and the statement of the complainant. Perusal of the statement and the documents and considering the allegation made against this applicant, that the applicant has disclosed the fact of sale of the house. Taking into such allegation this Court is inclined to extend the benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

(i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;

(ii) that the applicant 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/her from disclosing such facts to the Court or to any police officer;

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram