

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 950 of 2015

Chintaram Sahu S/o Jhaggar Ram Sahu Aged About 39 Years R/o Village Tatibandh Basti (Sahu Para), Police Station Amanaka, Tahsil & District Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Police Station - Civil Lines, Raipur, District - Raipur Chhattisgarh

---- Respondent

For Applicant	:	Shri S.S. Rajput, Advocate
For Respondent/State	:	Shri R.K. Gupta, Dy.A.G.

Order On Board

05/10/2015

Heard.

1. This application has been filed by the applicant apprehending his arrest in connection with Crime No.513/2015, registered in Police Station -Civil Lines, Raipur, for alleged commission of offence under Sections 420, 409, 467, 471 and 120-B IPC.
2. Case of the prosecution, in brief, is that the applicant and another co-accused got forged diversion orders prepared to show diversion of land without there being any diversion proceedings drawn or diversion order actually passed by the competent authority and in this manner, huge chunk of land admeasuring 3,50,000 sq.ft. was falsely shown as diverted in order to develop residential colony by developing plots.
3. Learned counsel for the applicant submits that the applicant is not involved in the commission of offence. He submits that some lands were sold by the applicant's father to other accused and in respect of some lands, the applicant had entered into an agreement to sale which was not sold. He submits that other party, misleading the applicant and his deceased- father, obtained their signatures on certain documents which appears to have been used for the purposes of alleged offence.
4. On the other hand, learned counsel for the State submits that without there being any diversion proceedings drawn and order passed by the competent authority forged diversion orders, large in number, in respect of huge extent of land were found. The seller, being petitioner and his late father, are prima facie involved in the commission of offence.

5. Taking into consideration the submissions of learned counsel for the parties, taking into consideration the nature and gravity of allegation against the applicant and that alleged forged diversion order related to some of those lands which are in the ownership of the applicant and subject matter of agreement between the applicant and one R.K Sharma, I am not inclined to grant anticipatory bail to the applicant.
6. The application is therefore rejected.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen