

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5602 of 2016

- Saiyyad Nawaz Ali @ Nawaz Ali S/o Saiyyad Hamid Ali Aged About 40 Years R/o Mahadev Ward Sheetla Para Kanker P.S. Kanker Revenue & Civil District North Bastar Kanker Chhattisgarh. **---- Applicant**

Versus

- State of Chhattisgarh through the Police Station Kanker, District Kanker Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. Pravin Tulsyan, Advocate
For the Respondent	:	Mr. Neeraj Sharma, Dy. Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

20.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 247 of 2016 registered at P.S. Kanker, Distt. Kanker (C.G) for the offence punishable under Sections 420, 468 & 471 of IPC.
2. As per the prosecution case, in the year 2013 the present applicant who was dealing with sale of land promised the complainant Afroz Begum to get a sale deed registered in her name and further to divert the land situated in village Khamdhodagi which was to be purchased from one Fool Singh and received an amount of Rs.2,15,000/- as an advance from the complainant. Subsequently certain documents were handed over wherein it was found that all the papers were forged and the registry was not at all made in the name of complainant.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case and it was

for the seller to execute the sale deed. It is further submitted that the charge sheet has been filed and no further investigation is necessary in this case, therefore, the applicant may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the case diary and other documents.
6. Considering the degree of allegations levelled against the applicant and the facts that all the evidence available in this case is documentary in nature; the incident is said to have taken place in the year 2013 whereas the report has been made in 2016 and further considering the fact that the charge sheet has been filed; no further investigation is necessary and the applicant is stated to be in jail since 21.07.2016, I am of the view that it is a fit case to enlarge the applicant on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**