

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3992 of 2016

Punam Singh Rajput, S/o. Girdhar Singh Rajput, aged about 35 years,
R/o. Shikaripara Balod, Police Station and District – Balod (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through : the Station House Officer, Police Station-
Golbazar, Raipur, District – Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Ashish Surana, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.97/2015, registered at Police Station- Golbazar, Raipur, District Raipur (C.G.) for the offence punishable under Section 420, 467, 468, 471 read with Section 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that one report was made by Vikram Rana, who was the partner of M/s. Vardhman Infrastructure alleging that Gudluck Petroleum Company Pvt. Ltd. obtained a loan for which the property which was purchased in the name of M/s. Vardhman Infrastructure in the year 2006 was mortgage as guarantee. Vardhman Infrastructure stood as a guarantor and the signature of Vikram Rana was placed in the guarantee agreement, which was forged. Subsequently the property was attached as Gudluck petroleum Company failed to repay the loan and when this fact came to notice that by false signature, the guarantee agreement has been executed, the report has been made.

3. Learned counsel for the applicant would submit that Vikram Rana had given power of attorney in favour of her sister, Kanchan Kalash and Prakash Kalash is the husband of Kanchan Kalash, who might have signed the guarantee agreement and therefore, the allegations attributed to this applicant is completely fabricated as would be evident from the statement of Prakash Kalash and Subhash Sharma. It is further submitted that charge-sheet in this case has been filed and the applicant is in jail since 25.02.2016, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties.
6. Perused the case diary and the documents. Voluminous documents in the charge-sheet has been filed. Considering the facts and circumstances of the case and taking into the fact that charge-sheet in this case has been filed, applicant is in jail since 25.02.2016 and the evidence in this case are documentary in nature, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, both the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge