

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5453 of 2016

- Kuldeep Kaur D/o Nasib Singh Aged About 32 Years R/o H. No. 23, St. No. 08, Vikas Nagar, District Patiala (Punjab) --- **Petitioner**

Versus

- State of Chhattisgarh Through Police Station, Nandni, Distt. Durg Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Arvind Singh, Advocate
For the Respondent	:	Mr. Anupam Dubey, Dy.Govt. Adv.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.09.2016

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. 134 of 2016 registered at P.S. Nandni, Distt. Durg (C.G) for the offence punishable under Sections 420, 467, 468, 471, 34 of IPC.
2. As per the prosecution case, a report was made by one Krishna Bai that the present applicant alongwith Manoj Agrawal and Sunil Agrawal offered her that the Airtel Tower would be installed at her premises for which, the complainant will get monthly rent of Rs.70000-80000/- per month. However, in order to install mobile towers, certain amounts are to be deposited by the complainant in the account of the present applicant and the account of present applicant was given wherein the complainant deposited Rs.25000 and Rs.20000/- and registration fee was also charged. Subsequently, no tower was installed and it was revealed that the applicants with the connivance of the other co-accused has defrauded the complainant.

3. Learned counsel for the applicant would submit that the charge sheet in this case has been filed; the applicant is in jail since 25.07.2016 and the father of the applicant is suffering from cancer, therefore, she may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Perused statement of complainant Krishna Bai wherein she has stated that in the account of this applicant initially an amount of Rs.25000/- was deposited and subsequently Rs.20,000/- was deposited.
6. Considering such statement of the complainant and evidence collected and further looking to the way in which the offence committed, I am not inclined to allow this bail application. Accordingly, it is rejected.

Sd/-

**GOUTAM BHADURI
JUDGE**