

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 7058 of 2016

1. Smt. Manju Patel Agrawal, aged about 24 years, W/o. Shri Prateek Agarwal, R/o. Gitanjali Nagar, P.S. - Telibandha, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : the Inspector, Police Station Civil Lines, Raipur, District – Raipur (C.G.)

---- Respondent

For Applicant	: Mr. Abhisek Sinha, Advocate
For Respondent/State	: Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19/12/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.557/2015, registered at Police Station – Civil Lines, Raipur, District – Raipur (C.G.) for the offence punishable under Section 409, 420, 467, 468, 471 read with Section 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a complaint was made by Amit Junenkar and Mukesh Shrivastava, who are the owners of Vyapak Tours and Travels, wherein Prateek Agrawal was working as Branch Manager and the present applicant, who is wife of Prateek Agrawal is working as an Accountant. It is alleged that

some tickets were issued for Girdhar Gwalani and others to travel from Raipur to Singapore package and obtained Rs.16,00,000/- out of Rs.22,55,000/-. Subsequently, the air tickets which was issued contains same PNR numbers and further, hotel booking, visa, vouchers, which was generated and provided by the applicant were found to be forged. Thereby the applicant along with her husband have committed forgery.

3. Learned counsel for the applicant submits that Amit Junenkar and Mukesh Shrivastava have been examined and nothing has been attributed against the present applicant. It is further submitted that statement of Girdhar Gwalani has also been recorded, wherein he has stated that he has paid Rs.16.00 lakhs to Prateek Agrawal and rest of the amount was paid by cheque to Vyapak Tours and Travels and no allegation is attributed to this present applicant. It is further submitted that the applicant is lady and she has given birth of child in jail and she was pregnant while she was arrested. It is further submitted that the applicant is in jail since 08.11.2015. Therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the statement of Girdhar Gwalani. The witness appears to have been examined in part, which shows that entire deal was made with Prateek Agrawal. Considering the facts and

circumstances and the statements and further taking into the fact that the applicant is a lady and she is in jail with infant child and further considering her period of detention as she is in jail since 08.11.2015, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on her 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 her appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge