

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 204 of 2017**

- Moh. Jamsed Ansari S/o Shri Jalaluddin, Aged About 40 Years R/o Baisagarpara, Baikunthpur, Thana And Tashil Khadgawa, District Korea Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Khadgawa, District Korea Chhattisgarh

---- Non-applicant**And****MCRCA No. 205 of 2017**

- Ajaj Ahmad S/o Shri Ali Hasan, Aged About 55 Years R/o Mishanpara, Baikunthpur, Thana And Tahsil Khadgawa, District Korea Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Khadgawa, District Korea Chhattisgarh

---- Non-applicant

For Applicants:	Mr. Manoj Chouhan, Advocate
For State:	Mr. U.K.S. Chandel, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****19.05.2017**

1. Apprehending arrest in connection with Crime No. 06/2017 registered at Police Station- Khadgawa, District Korea (C.G.), for offence punishable under Sections 419, 420, 467, 468, 471, 120B/34 of the Indian Penal Code, the applicants have preferred these applications for grant of anticipatory bail.
2. Since, the matter relates to the same Crime number both the

applications are being decided by a common order.

3. The Applicant in M.Cr.C.(A) No.204/2017 is the purchaser of the disputed property and the Applicant in M.Cr.C.(A) No. 205/2017 is a witness to the sale deed made for the aforesaid property transaction.
4. The allegation against the present Applicants as per the prosecution case is that the present Applicants are purchaser and witness in the alleged sale deed respectively and that they have purchased property from one Dhani Ram and have got the Registered Sale Deed executed by the projecting another lady namely Radhika to be Sukman, who is sister of the seller Dhani Ram who had equal share in the said property.
5. The allegation is that when the sale deed was to be executed Dhani Ram and present Applicants took Radhika to the office of the Registrar and have affixed photographs of the sister of the Dhaniram i.e. Sukman and on the photograph of Sukman got endorsed signature of Radhika impersonating herself to be Sukman.
6. Learned Counsel for the Applicants submits that it is a case where the present Applicants are purchaser and that they are not involved in any mischief or fraud but it is a case of bonafide error on sale deed executed. The present Applicants did not care for the photographs that were affixed when Radhika projecting herself to be Sukman or whether infact she was Sukman or not. He was not knowing that she was Radhika who is also a sister of Dhaniram, thus prayed for grant of anticipatory bail.
7. Learned State Counsel however opposes the bail application on the ground that the present Applicants have entered into the sale deed by impersonating a person to be co-owner of the property. He submits that it is case where Radhika appeared before the Registrar and put her signature in the sale deed as co-owner of the property

but the photographs was of Sukman which was affixed on the sale deed not of Radhika and Radhika endorsed signature impersonating herself to be Sukman. Thus, there is serious allegation against the present Applicants. The said sale deed was executed in the presence of the Applicants. Therefore, the present Applicants should not be granted anticipatory bail. He further submits that the bail application of couple of other accused persons have already been rejected.

8. Considering the given factual position of the case, this Court is of the opinion that prima facie no good case for grant of anticipatory bail has been made out.

9. Accordingly, both the Applications are rejected.

Sd/-

(P. Sam Koshy)
JUDGE