

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 532 of 2017

Mukesh Verma S/o Vijay Prasad Verma, Aged About 31 Years R/o Village & Post Urla, Police Station Urla, Civil & Revenue District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Of Police Chowki Smriti Nagar Bhilai, Tahsil Bhilai, Civil & Revenue District Durg, Chhattisgarh.

---- Respondent

Shri Ratnesh Kumar Agrawal, counsel for the applicant/s.
Shri Satish Gupta, Govt. Advocate for the State.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/11/2017

Heard.

The applicant is apprehending his arrest in connection with Crime No.431/2017 registered at police chowki – Smriti Nagar, Police Station - Bhilai, District – Durg (CG) for alleged commission of offence under Section 420, 34 of IPC.

2. Case of the prosecution is that the applicant cheated the depositor / complainant by not depositing the money in the Post Office scheme but in another deposit scheme called GND India Private Ltd.

3. Learned counsel for the applicant submits that the complainant has made false complaint. The complainant was fully knowing, where her money is being invested. Bonds were used to be given to the complainant and the receipts are also with her and also recovered from her possession. It is submitted that as the complainant was not satisfied with the returns of the investment, she insisted the applicant to return the money and thereafter, lodged report. It is further submitted that the applicant did not keep the money with him but the money was invested in

the bond scheme. Therefore, no case is made out.

4. Learned State counsel submits that *prima facie*, it is made out from the complaint of the complainant that she and even other depositors had given money to the applicant for investing in the Post Office scheme but the applicant, instead of depositing it in the Post Office, started depositing in other scheme, for which, the complainant had not given money.

5. Having considered the submission of learned counsel for the parties, particularly taking into consideration that the money was given to the applicant for investment and that the investment bonds are in possession of the complainants and at the time of receiving those bonds, no complaint was made, I am inclined to grant anticipatory bail to the applicant.

6. Accordingly, this application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- along with two local sureties for the like amount to the satisfaction of the arresting officer and he shall abide by all the following terms and conditions -

(i) that the applicant shall make himself available for interrogation by a Police Officer as and when required;

(ii) that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer.

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge