

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C.(A). No. 802 of 2017

- Smt. Bindu Singh W/o Shri Ravi Shankar Singh, Aged About 48 Years R/o Ward No. 13, Nandani Nagar, P. S. Nandani Nagar, District Durg Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Mohan Nagar, District Durg Chhattisgarh.

---- Respondent

For Applicant : Mr. Achyut Tiwari, Advocate

For Respondent/State : Mr. A.K. Shukla, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06.12.2017

1. Apprehending arrest in connection with Crime No.366/2017 registered at Police Station- Mohan Nagar, District – Durg, Chhattisgarh, for offence punishable under Section 420 of the Indian Penal Code and Sections 4, 5, 6 of Prize Chits and Money Circulation Scheme Banning Act, 1978, the applicant has preferred this application for grant of anticipatory bail.
2. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. The complainant in this case have compromised with the main accused - Anil Joseph and the main accused have been benefited with the grant of anticipatory bail by the Sessions Court under this

situation it is prayed that the applicant being a woman and not having participated in the said commission of offence, hence, she is entitled for grant of anticipatory bail.

3. Learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant had been a party to the commission of offence, as some amount was deposited in her account by the main accused and also some account papers were seized from the possession of the applicant, which shows her implication in the said commission of offence, hence, she is not entitled for grant of anticipatory bail.
4. I have heard the learned counsel for the parties and perused all the documents placed on record.
5. The facts of the case are these, that the applicant had promoted one Gold Price Scheme and she handed over the book-let of receipt to the main accused – Anil Joseph, informing him that he has to get installments from the depositors, after the deposit of receipts price will be awarded to the winning depositors and total Rs. 1,17,000 collected and deposited in the account of the applicant, but no prices were declared and distributed, thus, investors were cheated. A report has been submitted by the State counsel, which shows that compromise has been arrived at between the main accused- Anil Joseph and the complainant and others investors / depositors in this case and the complainant and others witnesses have given statement that they do not want to prosecute the case initiated, on the basis of FIR lodged by the complainant.

6. Taking into consideration this development of situation, this Court is of the opinion that this is a fit case, where the applicant deserves to be benefited with grant of anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offences, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make herself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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/her 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 her by the said Court till disposal of the trial.

Sd /-

(Rajendra Chandra Singh Samant)

Judge