

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1334 of 2016**

- Harjeet Singh S/o Late Gurubachan Singh Aged About 58 Years R/o Vinoba Nagar Police Station Tarbahar District Bilaspur Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Police Station Torwa District Bilaspur Chhattisgarh

---- Non-applicant

For Applicant:	Mr. Amit Kumar, Advocate
For State:	Mr. N.K. Mehta, Panel Lawyer

SB: Hon'ble Shri Justice P.Sam Koshy**Order On Board****18.05.2017**

1. Apprehending arrest in connection with Crime No. 54/2015 registered at Police Station- Torwa, District - Bilaspur(C.G.), for offence punishable under Section 384 of the Indian Penal Code and Sections 3 & 4 of Money Lenders Act, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the applicant advanced loan for certain amount to the complainant T. Venkatrao, and was taking Rs. 400/- per month. However, the applicant was trying to extort more money from the complainant and has obtained documents and retained valuable documents, i.e. ATM card, pass book of the complainant and further pressurized the complainant to pay back more amount.

3. Counsel for the applicant submits that the applicant is a registered money lender and the complainant has obtained loan from him for which recovery proceeding filed before the Civil Court which was decreed and the applicant was pursuing his recovery, therefore, no case is made out against the applicant. He further submits that co-accused in the same crime namely Sunil Kumar Saluja has already been granted anticipatory bail by this Court in M.Cr.C.A. No. 237 of 2016 vide order dated 15.03.2016.
4. Per contra learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the document as also the judgment and decree, it appears that the transaction are monetary in nature and also considering the co-accused namely Sunil Kumar Saluja having been granted bail by this Court, the present Applicant also deserves to be treated equally and granted benefits of anticipatory bail.
6. Accordingly, the MCRCA is allowed.
7. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him 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 himself 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 him by the said Court till disposal of the trial.

Sd/-

(P. Sam Koshy)
JUDGE