

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 7699 of 2017**

Daluram Khare @ Raju Khare, aged about 39 years, S/o Johanlal Khare, R/o Sadak No. 13, Quarter No. 870, Shantinagar, Bhilai, Tahsil and Distt. Durg (C.G.)

----Applicant**Versus**

State of Chhattigarh- through Police Station Arjuni, District Dhamtari (C.G.).

---Respondent

For Applicant	:	Mr. Parag Kotecha, Advocate
For Respondent	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****19/12/2017**

1. This is the first bail application filed under section 439 Cr.P.C for grant of regular bail to the applicant who has been arrested in connection with Crime No. 278/2017 registered at police station- Arjuni, District Dhamtari for the offences punishable under sections 420 and 120-B of IPC.
2. It is alleged that showing an attractive scheme of doubling the money within a short period, people were attracted and invited for investment. Looking to the attractive scheme, complainant- Bhuvaneshwar Sahu and others invested in the said scheme about Rs. 50-60 lakhs. It is further alleged that the applicant along with the other co-accused cheated the complainants and other persons by committing a criminal conspiracy.
3. Learned counsel appearing for the applicant argued that the applicant is innocent and he has been falsely implicated in the present case. He further argued that the main culprit/accused is broker Bhawani Shankar against whom a complaint under Section 138 of the Negotiable Instruments Act has been filed by the present applicant himself because the present applicant himself, as an investor, has made investment with said broker Bhawani Shankar. It is further submitted that the applicant is in jail since 13/10/2017

and as a compromise has already taken place between the complainants and the present applicant, therefore, the applicant may be released on bail.

4. Per contra, learned counsel appearing for the State opposed the prayer for grant of bail.
5. Taking into consideration the totality of the facts and circumstances of the case, particularly, the period of custody of the applicant, the offence is triable by a Judicial Magistrate First Class, trial is likely to take time and a compromise has already taken place between the complainants and the applicant, without commenting on merits of the case, I am inclined to grant bail to the applicant.
6. Accordingly, the instant application for grant of bail is allowed. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 10,000/- with one surety of the like sum to the satisfaction of the concerned Trial Court for his appearance before the said Court as and when directed.
7. Certified copy as per rules.

Sd/-
(Arvind Singh Chandel)
Winter Holiday Judge