

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8425 of 2016

1. Haldhar Gupta, son of Rajendra Prasad Gupta, aged about 43 years,
R/o. Polsai Para, Station Road, Durg, District – Durg (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Police
Station – Dhamdha, District – Durg (C.G.)

---- Respondent

For Applicant : Mr. Jitendra Gupta, Advocate

For Respondent/State : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

05/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.249/2016, registered at Police Station – Dhamdha, District – Durg (C.G.) for the offence punishable under Section 420, 419, 467, 468, 471, 120-B of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Parsuram Prasad that he entered into agreement with Hemant Verma for purchase of land bearing Kh.No.1206 and 1210 which belong to Kripal Singh and Thakur Singh and Manoj Soni was

power of attorney holder. Therefore, sale deed was executed by power of attorney holder Manoj Soni in favour of Parsuram Prasad for sale consideration of Rs.25,32,200/- and Manoj Soni in the intervening period had agreed to sell the land to Gopal Singh and Gopal Singh agreed to sell it to Hemant Verma and Hemant Verma agreed to sell it to Parsuram Prasad. However, sale deed executed eventually by Manoj Soni. Subsequently, when mutation proceeding were carried out it was found that power of attorney, rin pustika and other documents were forged. It is further alleged that Haldhar Gupta, the present applicant, who was running printing press prepared the seal of Tahsildar on the basis of which forged documents have been prepared. Thereby the offence has been committed.

3. Learned counsel for the applicant submits that the applicant has not committed any offence and he has only prepared the seal as he was running the printing press and he himself has been deceived and he has discharged his professional duties as he was running printing press, consequently, he was not the beneficiary, therefore, the counsel prays that the applicant may be enlarged on bail.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Perused the case diary and the documents. Considering the facts and circumstances of the case, nature of offence and the degree of allegations levelled and further considering the fact that there is no

direct allegation has been attributed against the applicant and as appears he is not the beneficiary, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge