

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8605 of 2016

Purnima Dharamgudi, W/o. Manoj Dharamgudi, Aged About 38 Years,
R/o. Daroga Gali, Math Para, Durg, Tehsil & District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through Police Station- City Kotwali, District Durg,
Chhattisgarh.

---- Respondent

For Applicant : Mr. Sandeep Yadav, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

ORDER

16/01/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.606/2016 registered at Police Station- City Kotwali, District Durg (C.G.) for the offence punishable under Section 420, 467, 468, 34 of Indian Penal Code.
2. Case of the prosecution, in brief, is that a report was made by one Mukesh Kumar against the applicant and others on 26.08.2016 that from 08.10.2015 in order to provide the job of Peon, the applicant alongwith other co-accused namely Ravindra Aavre has received different amount from the persons. The report was made by the high officials of the State. Subsequently, investigation was carried out and it was revealed that the fake appointment letters were issued to different persons, which was found to be forged. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that the applicant being the President of Divya Jyoti Samaj Sevi Sansthan had kept certain cheque signed which was stolen by the complainant. Subsequently, when the cheque was tried for encashment, the same was stopped, consequently the false report has been made. It is further submitted that the legal notices were exchanged between the parties for bounce of cheque, which would lead to show that the cheque bearing No.013375 of Rs.4 Lakhs is the cause of dispute and false allegation has been leveled, therefore, the applicant may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and statement of Mukesh Kumar, Santosh Kumar Deshmukh, Dhanesh Kumar, Surya Dhimar, Lokesh Kumar, Pramod Kumar etc. They have all stated that amounts were paid to the present applicant to get the employment and certain letters of employment was also given to few of the persons, which were found to be forged. Considering the way the offence has been committed and further considering the fact that direct allegation is attributed against the present applicant alongwith other co-accused, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge