

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 527 of 2017

M/s Simplex Castings Limited, Through Its General Manager, Uday Dutta, S/o Late Shri Robin Dutta, Aged About 45 Years, R/o. Plot No. 20, Street No. 9, Ashish Nagar West, Risali, Bhilai, Police Station Nevai, District- Durg, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh, Through Station House Officer, Police Station Supela- Bhilai, District- Durg, Chhattisgarh.
2. Sanni Patel, S/o. Shri Rajnikant Dulabhai Patel, Aged About 31 Years, R/o. C-10, Nandvan Complex, In Front Of Townhall, Elis Bridge, Ahemdabad, Gujarat

---- Respondents

For Applicant	:	Mr. Chandresh Shrivastava, Advocate.
For State/Respondent 1	:	Mr. Sangharsh Pandey, Dy. G.A.
For Respondent No.2	:	Smt. Fouzia Mirza, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.07.2017

Heard

1. This is a petition for cancellation of bail.
2. Learned counsel for the applicant would submit that the bail was granted to the respondent on 11.01.2017 considering the submission of the accused that no objection has already been given in respect of the vehicle alongwith Rig machine and on that ground the Court while considering the fact that no objection has been issued, allowed the bail application. It is contended that thereafter the exchange of notice would show that completely separate path has been adopted by the respondent No.2 Sunni Patel and ownership of the vehicle has been denied; therefore,

two different statements have been made and in order to obtain bail, only the false submission was made, therefore, the bail granted to the respondent No.2 on 11.01.2017 be canceled.

3. Per contra, learned counsel for the respondent No.2 would submit that till date the respondent No.2 maintained the stand that no objection was already given in respect of the machine, which is lying at Asansol, West Bengal and the applicant may approach and complete the formalities of the R.T.O. to get back the vehicle and take possession of the vehicle as the NOC has already been given.
4. Perused the earlier bail order dated 11.01.2017 passed in MCRC No.8575 of 2016. Considering the facts of the case and *inter se* submission between the parties, which has been made while deciding the application, I do not find any reason to cancel the bail granted to the respondent No.2 on 11.01.2017. However, it is expected that the respondent No.2 shall maintain his submission, which is made before the Court.
5. With such observation, the petition stands dismissed.

Sd/-
(Goutam Bhaduri)
Judge