

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 717 /2017

1. Dilip Kumar Saluja @ Bulthi, S/o. Shriram Saluja, Aged About 50 Years.
2. Harjeet Singh @ Gangu, S/o. Kasturilal Saluja, Aged About 40 Years.
3. Kamaljeet Saluja @ Gaddu, S/o. Kasturilal Saluja, Aged About 35 Years.

All R/o. Main Road Lormi, Ward No.6 Lormi, District Mungeli, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Station Lormi, District Mungeli, Chhattisgarh.

---- Respondent

For Applicants : Mr. Rajeev Shrivastava, Advocate.
For Respondent : Mr. S.K.Mishra, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

29.11.2017

1. Apprehending arrest in connection with Crime No.282/2017 registered at Police Station- Lormi, District Mungeli (C.G.) for the offence punishable under Section 384, 506, 34 of Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a report was made by one Smt. Dursiya Sahu that her husband had taken an amount of Rs.1,80,000/- from the applicant and thereafter the applicant has recovered the same and ATM & Cheque Book was also kept by the applicant and the amount was also withdrawn from time to time from the ATM. On having said that four times of the amount has been taken back and asked to return the ATM & Cheque Book, it was stated that 10 times recovery would be made and threat was also extended.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated, only admitted the fact that loan was taken by the complainant and in order to avoid the same, false allegations have been leveled; therefore, he may be enlarged on anticipatory bail.
4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the statement of the victim. Considering the facts & circumstances of the case and the statement, this is not a case where the benefit of Section 438 of Cr.P.C. can be extended to the applicant.
6. Accordingly, the bail application filed under Section 438 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge