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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7141 of 2017**

Salman S/o Mohd. Subhan, Aged About 22 Years R/o 4-60, Gali No. 4,
A Block, Bhagirath Vihar, Delhi 110094, Delhi.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station
Basantpur District Rajnandgaon, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 7220 Of 2017**

Sunil Singh Pawar S/o S/o Mansingh Pawar, Aged About 21 Years R/o
R. C. 227, Damodar Vihar, Khoda Colony Gajiyabad Noida, Uttar
Pradesh Wrongly Mention As Delhi., Uttar Pradesh

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer, Police Station
Basantpur District Rajnandgaon, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 930 Of 2018**

Dashrath Nishad S/o Rajmani Nishad, Aged About 47 Years R/o E-
1/19, Gali No. 01, Chandbagh Delhi 94, District : New Delhi, Delhi

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer, Police Station
Basantpur District Rajnandgaon, Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 940 Of 2018**

Alok Kumar @ Ranjit Singh @ R. Singh S/o Shyam Singh Aged About
25 Years R/o Village Ramividha, Thana Asthana Bihar, At Present R/o
Shivam Enclave, Old Havdarpur, Thana Bishrakh, Gooutam Budh
Nagar, Noida Uttar Pradesh, District : Noida, Uttar Pradesh

---- Applicant**Vs**

State Of Chhattisgarh Through Station House Officer, Police Station
Basantpur District Rajnandgaon, Chhattisgarh.

---- Respondent

And

M.Cr.C. No. 939 Of 2018

Javed Malik S/o Mohd. Islam Aged About 24 Years R/o House No. 330
Street No. 136, Purana Hosangabad, Delhi 94, Delhi

---- Applicant

Vs

State Of Chhattisgarh Through Station House Officer, Police Station
Basantpur District Rajnandgaon, Chhattisgarh.

---- Respondent

And

M.Cr.C. No. 938 Of 2018

Sunil Sharma S/o Ram Niwas Sharma Aged About 28 Years R/o
F/289/10 Chandbagh Delhi, 94, District : New Delhi, Delhi

---- Applicant

Vs

State Of Chhattisgarh Through Station House Officer, Police Station
Basantpur District Rajnandgaon, Chhattisgarh.

---- Respondent

And

M.Cr.C. No. 937 Of 2018

Mohd. Amir S/o Mohd. Yamin, Aged About 22 Years R/o House No.
123, Block F, Gali No.-5, Chandbagh, Thana Gokulpuri, New Delhi,
District : New Delhi, Delhi

---- Applicant

Vs

State Of Chhattisgarh Through Station House Officer, Police Station
Basantpur District Rajnandgaon, Chhattisgarh.

---- Respondent

For the Applicants : Shri Parag Kotecha, Advocate.
For the Respondent/State : Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

26.02.2018

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the

applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.297 of 2017, registered at Police Station – Basantpur, District – Rajnandgaon, Chhattisgarh for the offence punishable under Sections 420, 467, 468, 471 and 120B/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants in M.Cr.C. Nos. 7141 of 2017 and 7220 of 2017 are in jail since 17.10.2017 and the applicants in M.Cr.C. Nos. 930 of 2018, 940 of 2018, 939 of 2018, 938 of 2018 and 937 of 2018 are in jail since 14.10.2017 and they have been falsely implicated in these cases. The complainant in this case, namely, Maniram has received the refund of the amount deposited by him from the applicants and has given the statement before the police acknowledging the same and stating that he has entered into a compromise with all the applicants. The applicants in all these cases are ready to abide by all the conditions imposed on them. Hence, it is prayed that the applicants in all these cases be benefited with grant of bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that all the applicants are residents of other States, if they are released on bail their availability for trial of the case could not be ensured for the future. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. The case against the applicants is that the applicants made a telephonic call to complainant – Maniram representing themselves as Officers of Governing Body of Insurance Company, West Santacruz, Mumbai and informing that he is going to receive Rs.52,00,000/- as dividend from the Company and to receive the said amount the complainant is required to make some deposits. On the inducement given by the applicants, the complainant made deposits in the bank accounts according to the details provided by the applicants on various dates to the tune of Rs.22,37,072/- and when the complainant came to know about the fraud committed by the applicants, he lodged FIR.

6. On perusal of the case-diary and the report submitted by the State, it appears that the applicants and the complainant have entered into a compromise and the complainant had received a total amount of Rs.15,98,000/- from the applicants for which he has given a written acknowledgement on stamp.

7. Considering the development of things that had taken place and also considering the fact that the offence registered against these applicants is compoundable with the permission of the Court, I am of the considered view that the applicants in all the cases should be granted regular bail.

8. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

9. It is directed that the applicants in all the cases shall be released on bail on each of them 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 their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi