

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 276 of 2018**

- Ravi Chhugani S/o Late Ramchandra Chhugani Aged About 37 Years  
R/o A- 24, Gayatri Nagar, Raipur, (Ps. Not Mentioned In Impugned Bail  
Order Dt 25.01.2018), Tahsil And District Raipur, Chhattisgarh.,  
District : Raipur, Chhattisgarh

**---- Applicant**

**Versus**

1. State Of Chhattisgarh, District : Raipur, Chhattisgarh
2. Santram Satnami S/o Thukel Maheshwari Aged About 55 Years R/o  
Village Gondwara, P. S. Khamtarai, Tahsil And District Raipur  
Chhattisgarh, District : Raipur, Chhattisgarh

**---- Respondent**

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| For Applicant              | : | Mr. Kalyan Kalamkar, Advocate.        |
| For Respondent No.1/State: |   | Mr. Anupam Dubey, Dy. Govt. Advocate. |
| For Respondent No.2        |   | Mr. Shivendu Pandya, Advocate.        |

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**  
**Order On Board**

**20/08/2018**

1. The applicant has preferred this bail application under Section 438 of  
Cr.P.C. apprehending his arrest in connection with Crime No.27/2018  
registered at Police Station-Mandir Hasaud, District – Raipur(C.G.), for  
the offence punishable under Sections 420, 467, 468, 34 of the Indian  
Penal Code.

2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. The applicant is simply a bonafide purchaser of land from its erstwhile owner Itwari. After the purchase of land in the year 2002, the applicant has sold it to one Rajat Jain in the year 2005. The complainant in this case remained silent for several years and only in the year 2015 made the complaint alleging forgery and cheating, which is totally false and baseless. Hence, it is prayed that he may be released on anticipatory bail.
3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that looking to the material present in the record against the applicant, he is not entitled for grant of bail.
4. Learned counsel for respondent No.2 submits that the applicant knowing well that the land was already sold out to the complainant had purchased the same on the lesser price and thereafter resold it to co-accused Rajat Jain. Thus, the applicant was having intention to cheat the complainant since very inception. Hence, his application for grant of anticipatory is liable to be rejected.
5. Heard the parties and perused the case diary.
6. The allegation in the complaint against the applicant is this that in the year 2001, Itwari, owner of the land in question, has sold his land to complainant Sant Ram and thereafter in the year 2002, said Itwari again sold the same land to the applicant herein, who, in turn sold it to co-accused Rajat Jain and therefore the complainant has filed the complaint against the applicant levelling allegation of cheating, forgery and fraud.

7. Considered the entire material present in the case diary, in particular the inordinate delay in making the complaint, I am of this view that this is a fit case where applicant should be grant of anticipatory bail.
8. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
  - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
  - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
  - (iv) that the applicant shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-

**(Rajendra Chandra Singh Samant)**  
Judge