

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.2350 of 2018

Mohammed Haneef Sakaria S/o Late Abdul Ghani Bhai, aged 52 years,
R/o Shriram Nagar, Kanker, Tahsil Kanker, District Kanker (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through – PS Kanker, District Kanker (C.G.).

---Respondent

For applicant : Shri Saleem Kazi, Advocate.
For resp./State : Shri Shashank Thakur, Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

04/05/2018

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.396/2017 registered at Police Station Kanker, District Kanker (C.G.) for the offence punishable under Sections 420, 467, 468 & 471 of IPC and Section 138 of Negotiable Instruments Act.
2. Present applicant is in jail since 15/11/2017.
3. The allegation against the present applicant as per the prosecution case is that, the present applicant is said to have collected a huge amount of money from the villagers promising greater returns and in turn the applicant is said to have handed over the complainant fake documents which later on when found to be forge, the complainant approached the present applicant who twice entered into an agreement for returning all the payment, but the

same did not materialize and thereafter a cheque was issued which too got dishonoured.

4. The counsel for the applicant submits that, it is the first offence which has been registered against the present applicant and that he has already given an undertaking of providing the entire return back to the complainant at the earliest and thus prayed for sympathetic consideration for grant of bail to the applicant.

5. Having heard the contentions put forth by the counsel for the applicant and on perusal of record so also taking note of the nature of offence committed by the applicant and also taking note of the fake documents being provided by the present applicant to the complainant, this Court is of the opinion that the present applicant does not deserve bail at this juncture.

6. The present M.Cr.C. thus deserve to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
JUDGE

Sumit