

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 416 of 2018

- Smt. Surekha Tiwari @ Sangita Goswami W/o Shri Chandrabhan Goswami Aged About 40 Years D/o Shri Aanandgir Goswami, R/o- Durga Chowk, Near Punit Vidyalaya, Bada Ashok Nagar, Ward No. 3, Police Station- Gudiyari, District- Raipur, Chhattigarh., District : Raipur, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through- The Station House Officer, Police Station- Civil Line, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

For Applicant : Mr. Rishi Rahul Soni, Advocate.
For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate.
For Complainant : Mr. Rajesh Roshan Singh, Advocate.

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

13/07/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.469/2017 registered at Police Station- Civil Line, District – Raipur(C.G.), for the offence punishable under Section 420 of the Indian Penal Code.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this applicant, further, the applicant and the complainant have

compromised because of which it is prayed that applicant be granted anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Learned counsel for intervenor/complainant submits that he has no objection if applicant is granted anticipatory bail and earlier on 6.7.2018 the complainant himself had appeared before this Court and made a statement that he has no objection if the applicant is granted anticipatory bail.
5. I have heard the parties and perused the case diary.
6. The allegation against this applicant is this that he obtained Rs.1,20,000/- from the complainant on pretext that he will provide some job to him and thus he has committed the offence of cheating.
7. After due consideration on all the material present in the case diary and also taking into consideration the compromise between this applicant and the complainant in this case, I am of this view that this is a fit case where applicant should be benefited with grant of anticipatory bail.
8. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants 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