

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2957 of 2018

Dhru Lal Lahre S/o Late Punaauram Lahre Aged About 55 Years R/o
Village Madauda, Tahsil Khairagarh, District Rajnandgaon
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Police Station Nandani Nagar,
District Durg Chhattisgarh

---- Respondent

For applicant - Shri Prasoon Agrawal, Advocate.
For Respondent/State –Shri Sangarsh Pandey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order

19/06/2018

1. This is third bail application under Section 439 of Cr.P.C. The first bail application was rejected on 17/01/2017 vide M.Cr.C. No.8683 of 2016 and second bail application was rejected on 13/06/2017 vide M.Cr.C. No.3203 of 2017.
2. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.234/2016 registered in Police Station Nandani Nagar, District Durg (C.G.) for offence punishable under sections 419, 420, 467, 468, 471, 120-B of IPC.
3. As per the prosecution case, the land was sold by Manthir, Ashwani, Anuj Khediya, Dashoda, Khomlal, Banshilal and Thagiya Bai in favour of Lalit Navak and Dev Kumar and sale deed was executed in respect of the land situated at village Kodiya and the amount was received by the said sellers. Subsequently, Lalit Nayak, the purchaser made a report that sale was routed through Manoj Soni, one broker and the amount of Rs.12,25,000/- was paid to Manoj Soni and Farid Khan. Thereafter, it was revealed that one of the seller Khomlal has died five

years back. It is alleged that though Khomlal was dead, but the sale deed was executed by false personification and Kanhaiya Lahare appeared as Khomlal who is son-in-law of Khomlal and applicant Dhrulal has identified Kanhai as Khomlal thereby the offence has been committed. It is further alleged that the other accused Haldhar Gupta had prepared seal of Tahsildar so as to prepare the forged documents in his printing press.

4. Learned counsel for the applicant submits that examination of the witnesses have not yet commenced, applicant is in jail since 30/08/2016, therefore on the ground of delay the applicant may be released on bail.

5. Learned State counsel opposes the prayer for grant of bail.

6. Considering the facts of the case, nature of allegations, specially taking into fact that the applicant is in jail since 30/08/2016 and the evidence has not yet commenced. It appear that there is considerable delay in trial, therefore this court is inclined to release the applicant on bail.

7. Accordingly, the third bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE