

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2781 of 2018**

Surjeet Singh S/o Baldev Singh Aged About 30 Years R/o- House No. 63,
Rohini Sector-05, Police Station Vijay Vihar, Delhi, District- Rohini, Outer
Delhi.

---- Applicant**Versus**

State Of Chhattisgarh Through- District Magistrate, Durg, District- Durg,
Chhattisgarh.

---- Respondent

For the Applicant : Shri Avinash Chand Sahu, Advocate.
For the Respondent/State : Shri Ashok Swarnakar, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****21.06.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 1083 of 2014, registered at Police Station Supela, Outpost Vaishali Nagar, District Durg, Chhattisgarh for the offence punishable under Sections 420, 467, 468, 471, 120-B and 306/34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 6.9.2016 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed and the case is pending before the concerned Court. Similarly placed co-accused person, namely,

Sushant Basak in this case has been granted bail by the Co-ordinate Bench of this Court in M.Cr.C. No. 5795 of 2017 vide order dated 15.5.2018. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that this applicant happens to be the Head of the Citizen Finance Company. The applicant with the help of the agents, induced the deceased to make deposit of Rs.12,11,800/- in the account of the Company and thus, cheated him because of which, the depositor got frustrated and after killing his child by throttling, committed suicide alongwith his wife. Hence, looking to the consequences of this offence, the applicant is not entitled for grant of regular bail.

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

5. According to prosecution case, deceased – Maneesh Jaiswal on the basis of a paper advertisement called this applicant and co-accused – Sushant Basak for getting a loan of Rs.25,00,000/-. The applicant with dishonest intention induced the complainant to make deposits in about 19 accounts on various pretexts. Maneesh Jaiswal deposited 12,11,800/- even then the loan was not sanctioned and additional demand was made with threat that if the additional amount is not paid then the loan shall be cancelled and all the deposits made by the deceased shall be lost. Thereafter, the deceased – Maneesh Jaiswal got frustrated and after killing his child by throttling him committed suicide with his wife.

6. Considered the evidence that is present in the case-diary and also considered the horrifying consequence of the offence committed by this applicant. This applicant being responsible for the existence of the company which had been instrumental in commission of such offence and he appears to be the main culprit in this case, I do not feel inclined to grant bail to the applicant. Resultantly, the bail application is rejected.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge