

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.3246 of 2018**

Raspal Singh S/o Late Shri Surta Singh, Aged About 41 years, R/o House No.D-18, Rama Life City, Bilaspur (CG), Office Address: Arshdeep Buildcon Private Limited, 27 Kholi, Vikash Nagar, in the house of Dr.S.S.Bajpai, Bilaspur, Police Station-Civil Line Bilaspur, District Bilaspur (CG)

---Applicant**Versus**

State of Chhattisgarh, Through – the Station House Officer, Police Station – Koni, District – Bilaspur (CG)

---Non-Applicant

For Applicant	:	Mr.R.R.Soni, Advocate
For Non-applicant	:	Mr.R.N.Pusty, Govt.Advocate

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****02/07/2018**

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.131/2017, registered at Police Station-Koni, District-Bilaspur (CG), for the offence punishable under Sections 418 & 420 of the IPC.

2. Case of the prosecution, in brief, is that the applicant being director of Arshdeep Buildcon Private Limited obtained Rs.26,50,000/- from the complainant, but neither completed the construction nor deliver the constructed house and thereby committed the offence.

3. Learned counsel for the applicant would submit that the applicant has not committed any offence and he has falsely been

implicated in crime in question. He would further submit that the complainant has also raised a consumer dispute under Complaint No.CC/17/42 claiming that amount before the Chhattisgarh State Consumer Disputes Redressal Commission, which is pending consideration and in the meanwhile, this F.I.R. has been lodged in which the applicant is in jail since 19.12.2017. Charge-sheet has been filed.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts & circumstances of the case, nature & gravity of the offence, the fact that dispute is pending before the State Commission and pre-trial detention of the applicant, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

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

8. It is directed that the applicant shall be released on bail on his furnishing a personal bond in the sum of **Rs.25,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-