

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3952 of 2018**

Anil Kumar Mundhra S/o Late Manmohan Das Mundhra Aged About 63 Years R/o Gwalapara, Lamtibahal, Brujrajnagar, District Jharsagua, (Udisa)

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Raipur, District Raipur, CG

---- Non-applicant

For applicant : Shri Awadh Tripathi, Advocate.
For Respondent : Shri Ravindra Agrawal, Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****14-6-2018**

1. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No. 222/2017, registered at Police Station-City Kotwali, Raipur (CG), for the offence punishable under Section 420 of the Indian Penal Code.

2. Case of the prosecution, in brief, is that the applicant agreed to sell his land in favour of the complainant Manohar Lal Sharma but failed to execute the sale deed after taking the amount of Rs. 11 lacs and thereafter sold the land in favour of Hemraj Pardhi and Bhaulal Pardhi on 23-10-2012 and thereby committed the offence.

3. Learned counsel for the applicant submits that it is purely a civil dispute between the parties which has been converted into criminal case by filing an application under Section 156(3) of the Cr.P.C. The applicant is in custody since 5-4-2018 and charge sheet has been filed.

4. On the other hand, learned counsel for the State opposes the bail application and submits that despite taking huge amount of Rs. 11 lacs, sale deed has not been executed in favour of the complainant.

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

6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, nature of the dispute between the parties, the material brought on record, he is in custody since 5-4-2018, and charge sheet has been filed, I am of the opinion that present is the 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 on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed, the applicant shall be released on bail.

9. Certified copy as per rules.

**Sd/-
(Sanjay K. Agrawal)
Vacation Judge**