

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 742 of 2018

- Kalpana Gupta D/o Shri Indeshwar Prasad Gupta, Aged About 48 Years, Occupation- Tution And Tailoring R/o- Deviganj Road, Beside Kediya Vastra Bhandar, P.S.- Kotwali Ambikapur & Tahsil- Ambikapur, District- Surguja (Chhattisgarh), Civil and Revenue District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through- Police Station- Kotwali Ambikapur, Town Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant – Shri A.K. Prasad, Advocate.

For Non-applicant/State – Shri Anupam Dubey, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-08-2018

1. Apprehending arrest in connection with Crime No.246/2018, registered at Police Station – Kotwali Ambikapur, Town Ambikapur, District- Surguja, Chhattisgarh for offence punishable under Section 420 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. According to the complaint made by the complainant, it is a case of unpaid price for the goods purchased from the complainant, regarding which the complainant has civil remedy, hence, no case is made out against this applicant. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application.
4. Heard learned counsel for the parties and perused the case diary.
5. According to the FIR lodged against this applicant, this applicant had made a purchase of cloths from Akansha Garment at Ambikapur of which complainant Smt. Anju Potdar is proprietor. The price of the cloths purchased Rs.8,79,806/- has not been paid by this applicant, because of which, this

complaint has been filed.

6. Considered on the material present in the case diary. After due consideration, I am of this opinion that this is a fit case for grant of anticipatory bail to the applicant.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on executing a personal bond in 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 herself 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 her by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge