

HIGH COURT OF CHHATTISGARH AT BILASPURM.Cr.C. No.4818 of 2018

Abhishek Sahgal S/o Late Rameshchandra Sahgal, aged about 33 years, R/o Sector-27, M.I.G. 552, New Raipur, Post Office Raipur, Police Station Rakhi, Raipur, District Raipur (C.G.).

---Applicant

Versus

State of Chhattisgarh, Through - the S.H.O. Police Station Pandri, District Raipur (C.G.).

---Respondent

For applicant	:	Shri Shivendu Pandya, Advocate.
For State	:	Shri Syed Majid Ali, Dy.G.A.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

11/07/2018

1. The applicant has preferred this bail application under Section 439 of Cr.P.C. in connection with Crime No.72/2017 registered at Police Station Pandri, District Raipur (C.G.) for the offence punishable under Sections 420 & 120-B/34 of IPC.
2. Present applicant is in jail since 10/03/2017.
3. This is the second bail application. The earlier bail application stood dismissed as withdrawn with liberty to revive the same after 6 months on 02/01/2018.
4. The counsel for the petitioner submits that, the petitioner now has already remained in custody for a period of around 16 months and the dispute between the applicant and the complainant has been resolved by

way of compromise between the parties and therefore prayed for releasing the applicant on bail.

5. The State counsel however opposing the bail application submits that, it is a case where the present applicant is said to have defrauded the complainant – a jewellery shop owner by issuance of a cheque which got bounced after purchasing gold from the complainant and thus prayed for rejection of bail application.

6. Having heard the contentions put forth on either side and on perusal of record particularly taking into consideration the period of custody undergone by the present applicant, this Court is of the opinion that, prima-facie, a strong case has been made out for grant of bail to the present applicant.

7. Accordingly, the application for grant of bail is allowed. It is ordered that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the concerned Trial Court. The applicant shall thereafter appear before the Trial Court on each and every date given by the said court.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit