

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6572 of 2018**

Hira Singh S/o Seth Ram Aged About 50 Years Caste- Kanvar,
Occupation- Service (SECL) R/o- Village- Narayanpur, Police Station
& Tahsil- Udaypur, District : Surguja (Ambikapur), Chhattisgarh
--- **Petitioner**

Versus

State of Chhattisgarh through- Station House Officer, Police Station-
Udaypur, District : Surguja (Ambikapur), Chhattisgarh ---
Respondent

For the applicant	:	Mr. Bharat Rajput, Advocate.
For the Respondent	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****12.10.2018**

1. This is third bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 132/2015 registered at Police Station Udaypur, Distt. Sarguja (C.G) for the offences punishable under Sections 420, 294, 506-B/34 of IPC.
2. The first bail application was dismissed on 17.11.2016 and the second one was dismissed as withdrawn on 09.03.2018.
3. As per the prosecution case, a report was made by Otibai that she received a compensation amount of around Rs.34 lakhs as her land was acquired by the IFFCO Power Plant and the applicant got her thumb impression in the withdrawal form and transferred an amount of Rs.26 lakhs in his account and purchased different goods, thereby the offence has been committed.

4. Learned counsel for the applicant submits that the applicant is in jail since 07.10.2016 and out of 20 witnesses, only 3 witnesses have been examined till date and there is delay in progress of trial. He further submits that there is a possibility of settlement as the complainant is his relative and if the applicant is enlarged on bail all possible efforts would be made to settle the issue between the parties as the case u/s 420 of IPC is compoundable.
 5. Per contra, learned State Counsel opposes the bail application.
 6. Considering the submission of learned counsel for the appellant and the fact that the applicant is in jail since 07.10.2016 and no progress has taken place in trial and out of 20 witnesses, till date only 3 witnesses have been examined, at this stage, I am inclined to allow this bail application.
 7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed.
- C.c. today.

Sd/-

GOUTAM BHADURI
JUDGE