

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.6290 of 2018**

- Mahendra Paul Kashyap S/o Late Ganpat Kashyap Aged About 43 Years R/o- Budhena, Thana Navagarh, District- Janjgir-Champa, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station- Khamatrai, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Mateen Siddique, Advocate
For Respondent/State	: Shri Ramakant Pandey, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma**Order On Board****25.9.2018**

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure, for grant of bail to the applicant who has been arrested on 18.4.2018 in connection with Crime No.221/2018, registered at Police Station Khamtra, Raipur (CG) for the offence punishable under Sections 420, 467, 468, 471, 469 read with Section 34 of the Indian Penal Code.

2. Earlier bail application filed by the applicant was withdrawn on 24.7.2018. As per the prosecution case, present applicant along with other co-accused persons promised some persons namely Vinod, Bhupendra, Manish and Mohit to provide them job in the Railways and took certain amount from them.

3. Learned counsel for the applicant submits that the persons who lodged the report against the present applicant have filed

application for compromise before the trial Court on 07.8.2018 and their statements were recorded, but since the offence is not compoundable as per Section 320 of CrPC, the application for compromise was rejected by the trial Court. As the complainants themselves have filed compromise application before the trial Court and the applicant is in jail since 18.4.2018, he may be released on bail.

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

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

6. Looking to the fact that mainly it is a case of cheating of unemployed persons and they themselves have filed the compromise application before the trial Court, this Court is of the opinion that it is a fit case to enlarge bail to the applicant.

7. Accordingly, application filed under Section 439 of the CrPC is allowed. 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 local surety in the like amount to the satisfaction of the concerned trial Court. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

Sd/-

(Ram Prasanna Sharma)

JUDGE