

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1282 of 2018

- Baslel Nand S/o Late Balinand Aged About 34 Years Caste- Christian, R/o- Mission Road, Korba, Police Station Kotwali, Tahsil Korba, Civil And Revenue District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- The State Of Chhattisgarh Through- The Station House Officer, Police Station Kotwali, Civil And Revenue District- Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant : Mr. Punit Ruparel, Advocate.

For Respondent : Mr. Ashish Shukla, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

26/11/2018

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.664/2018 registered at Police Station-Kotwali, District – Korba(C.G.), for the offence punishable under Sections 420 of the Indian Penal Code.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. The applicant is the owner of the land in question regarding which he had entered into an agreement for sale with the complainant R.K. Pahuja. It is a case of civil nature

and complainant is aggrieved because sale-deed has not been executed by the applicant, hence, no case is made out against this applicant, hence, it is prayed that applicant may be released on anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. According to the facts of the case is this, that applicant entered into an agreement with the complainant R.K Pahuja and received an advance of Rs.11 lakhs on 30.7.2018. Subsequent to which the applicant has stalled the execution of sale-deed in favor of the complainant. When the complainant made an inquiry from the revenue office, he came to know that the land subject to sale agreement is recorded in the name of Evangelican Trust Association of North India (in short 'ETANI'). The claim of the applicant that he is the owner of the land in question finds no support in the case diary. No document has been filed along with the application to show the title of the applicant. The document showing authorization of sale of land in favor of Mr Bali Nand shows that authorization was made for sale to different person as the name of this applicant is Baslel Nand, hence, I do not feel inclined to grant anticipatory bail to this applicant.
6. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge