

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC (A) No. 1061 of 2017**

Chandrashekhar Singh Jadoun @ Balle S/o Vijendra Singh, aged about 44 years, R/o village Rangitola, Tehsil Chhuriya, outpost Chichola (Chhuriya), Distt. Rajnandgaon (CG).

-----Applicant

Versus

State of Chhattisgarh Through Police Station Chichola (Chhuriya), District Rajnandgaon (CG).

---- Respondent

For Applicant	:	Shri TK Jha, Advocate.
For Respondent	:	Ms. M. Asha, Panel Lawyer.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

19/01/2018

1. The applicant has filed this application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.185 of 2017 registered at Police Station Chhuriya, Distt. Rajnandgaon, for the offence punishable under Section 420 IPC.
2. The allegation against the applicant as per prosecution is that, the applicant by playing fraud is said to have sold two pieces of land in the name of complainant Brijlal and that two separate sale deeds were executed, one on 30.05.2017 and other on 26.07.2017, however, the complainant filed an FIR before the Police Station, Chhuriya, Distt. Rajnandgaon, stating that though the sale deed have been executed, but the owner of the land was not given the sale consideration and thus the present appellant has defrauded with the complainant.
3. On specific query being put to the State counsel, she admits that there does not appear any document with which it can be said that the legal representatives of the land owner-Brijlal or for that matter Brijlal himself during his lifetime has taken any steps for getting the sale deed

cancelled by filing any civil suit. Indisputably, the two sale deeds are valid document in the eye of law.

4. Given the facts and circumstances of the case and going through the nature of complaint, this court is of the opinion that the dispute between the parties is purely of civil nature and that the original land owner also in between has got expired. Thus, this court is of the view that it is a fit case for grant of anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:

1. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
2. The accused/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;
3. The accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
4. The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

5. Certified copy, as per rules.

Sd/-
(P. Sam Koshy)
Judge