

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8052 of 2018

- G. Rajesh S/o G. Krishanan Aged About 42 Years R/o A/57 Karmchari Nagar Sikolabhata, Post Office -Durg ,police Station Mohan Nagar District -Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer Police Station Khamtarai, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh

---- Respondent

 For Applicant : Shri Shivendu Pandya, Advocate
 For Respondent/State : Shri Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

19.11.2018

1. Heard the matter finally.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.221/2018, registered at Police Station Khamtarai, District Raipur(CG) for the offence punishable under Sections 420, 467, 468, 469, 471/34 of the IPC.
3. As per the case of prosecution, 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.
4. 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 6.11.2018 and their

statements were recorded, but some offences are not compoundable as per Section 320 of Cr.P.C., 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.

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

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

7. 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 the applicant on bail.

8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.

9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial. He shall appear before the trial Court regularly on each and every date, unless exempted from appearance.

10. Certified copy as per rules.

Sd/

(Ram Prasanna Sharma)
JUDGE