

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8168 of 2017

Kuldeep Kaur, D/o. Shri Nasib Singh, Aged About 32 Years, R/o. H. No. 23,
St. No. 08, Vikas Nagar, Sena Road, District Patiala (Punjab)

--- Petitioner

Versus

State of Chhattisgarh, Through Police Station- Nandni, District Durg,
Chhattisgarh

--- Respondent

For the Applicant : Mr. Pragalbha Sharma, Advocate

For the Respondent : Mr. Adhiraj Surana, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

18.01.2018

1. This is the 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. 134 of 2016 registered at Police Station- Nandni, Distt. Durg (C.G) for the offence punishable under Sections 420, 467, 468, 471, 34 of Indian Penal Code. The first bail application was dismissed on merit on 15.09.2016 in MCRC No.5453 of 2016 and second bail application was dismissed as withdrawn on 09.12.2016 in MCRC No.8227 of 2016.
2. As per the prosecution case, a report was made by one Krishna Bai that the present applicant alongwith Manoj Agrawal and Sunil Agrawal offered her that the Airtel Tower would be installed at her premises for which, the complainant will get monthly rent of Rs.70000-80000/- per month. However, in order to install mobile towers, certain amounts are to be deposited by the complainant in the account of the present applicant and the account of present applicant was given wherein the complainant deposited Rs.25000 and Rs.20000/- and registration fee was also charged. Subsequently, no tower was installed and it was

revealed that the applicants with the connivance of the other co-accused has defrauded the complainant.

3. Learned counsel for the applicant submits that the complainant has been examined and she has not narrated anything against the present applicant as would be evident from the statement of the complainant from para 12; therefore, the applicant being a lady may be enlarged on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the complainant/victim Krishna Bai. Considering her statement, without any observation on merit, taking into fact that the applicant is a lady, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge