

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1504 of 2018

- Mohit Jatwar S/o Bhagwat Prasad, Aged About 30 Years, Occupation News Reporter, Mungeli R/o Ratiyapara, Tehsil Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Non-applicant

MCRCA No. 1518 of 2018

- Mohit Jatwar S/o Bhagwat Prasad, Aged About 30 Years, Occupation News Reporter, Mungeli, R/o Ratiyapara, Tehsil Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

----Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Lormi, District Mungeli Chhattisgarh, District : Mungeli, Chhattisgarh

---- Non-applicant

For Applicant – Shri Awadh Tripahti, Advocate.

For Non-applicant/State – Shri N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

10-12-2018

1. As in both these applications the applicant is same though the crime number are different, they are being decided by this common order.

2. Apprehending arrest in connection with Crime No.306/2018 and Crime No.307/2018, registered at Police Station – Lormi, District Mungeli, Chhattisgarh for offence punishable under Section 384, 34 of the IPC, the applicant has preferred these two applications for grant of anticipatory bail in these cases.

3. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in these cases. The complainant is same in both the cases, namely, Shravan Kumar Jaiswal. As alleged that the date of incident is 21-07-2018, but the FIR was lodged on 04-08-2018 after due deliberation and

delay which shows that the cases against the applicant are concocted. In fact, the complainant was not performing his duties, because of which the applicant had published news article as the applicant himself is a correspondent. The allegation regarding demand and payment made by the complainant is totally false. Hence, it is prayed that the applicant may be benefited with grant of anticipatory bail in both the cases.

4. Learned counsel for the State/non-applicant opposes the application submitting that lodging of two different FIR against the applicant shows that he is repeatedly harassing the complainant and mere delay in lodging the FIR cannot be said that the complaints made against the applicant are false. Hence, the applications may be rejected.

5. Heard learned counsel for the parties and perused the case diary.

6. In Crime No.306/2018 it is alleged that this applicant went to the house of the complainant and after threatening and abusing him extorted Rs.5000/- from him. In Crime No.307/2018 it is alleged that this applicant threatened and abused the complainant and also deterred him in performance of official duties and made demand of Rs.8,000/- further.

7. Considered on the entire material present in the case diary. As this is a case of commission of repeated offence by the applicant, therefore, I do not feel inclined to allow both these applications.

8. Accordingly, these applications filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail are hereby rejected.

Sd/-

(Rajendra Chandra Singh Samant)
Judge