

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 27 of 2019**

Ashok Chaturvedi S/o Late Shri Shyamnath Chaturvedi Aged About 59 Years R/o House No. 1012/2 ,new Shanti Nagar ,shankar Nagar ,raipur District Raipur Chhattisgarh.

---- **Applicant**

Versus

State Of Chhattisgarh Through The Station House Officer ,police Station Mandir Hasoud District Raipur Chhattisgarh.

---- **Respondent**

For the Applicant	:	Shri Ashish Surana, Advocate
For the State	:	Shri SRJ Jaiswal, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**18/02/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.330/2018 registered at Police Station Mandir Hasoud, District Raipur (C.G.) for the offence punishable under Section 420 of IPC.
3. Case of the prosecution, in brief is that applicant had obtained Rs.10,50,000/- from the complainants Ramchandra Soni, Laxminarayan Soni, Ashok Dewangan, Nitesh Agrawani assured that he will provide them job in Irrigation Department. Thereafter he did not provide the job to the complainants. He had given a cheque to complainant Ramchandra Soni for a sum of Rs.9 Lakhs, which was dishonored on account of insufficient fund.
4. Learned counsel for the applicant submits that he is innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that one similar type of case has been registered against the applicant.
6. Counsel for the applicant further submitted that earlier similar type of report was lodged against him which has been filed. Alleged cheque does

not bear the sign of applicant. Applicant has already lodged a report on 09/06/2015 that his handbag containing cheque book has been stolen by someone.

7. Looking to the facts and circumstances of the case, looking to the material available on record against the applicant, looking to the huge amount involved in this case, this Court is not inclined to give the benefit under Section 439 of CrPC to the applicant. Accordingly bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde