

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 96 of 2019

- Smt. Harsha @ Meena Krishnani W/o Shri Gopichand Krishnani Aged About 44 Years (wrongly mentioned as Meera In the Order), r/o Near Holycross School Byron Bazar, Raipur, Tahsil and District-Raipur Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Police Station Civil Lines Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. B.P. Sharma with Mr. Raza Ali, Advocates.
For Respondent : Mr. H.S. Ahluwalia, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/02/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending her arrest in connection with Crime No.660/2016 registered at Police Station-Civil Lines, District-Raipur(C.G.), for the offence punishable under Sections 420, 467, 468, 471,120-B r/w 34 of the Indian Penal Code, 1860.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against this appellant. The husband of this applicant has been granted regular bail by this Court in MCRC No.3519 of 2018 vide order dated

19.6.2018. The name of this applicant has appeared only for the reason, that her husband has made the purchase in her name. No offence of cheating and forgery had been committed by this applicant, hence, it is prayed that she may be granted anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect.
4. Heard both the parties and perused the case diary.
5. The property i.e. flat No.101 to 104 in Khushi building, which was already mortgaged with UCO Bank by the builder was purchased by co-accused Gopi Chand Krishnani in the name of this applicant by obtaining loan from Punjab National Bank. As the same property was sold out in auction in the year 2016 for non-payment of loan amount, therefore, Punjab National Bank (in short 'PNB') has lodged FIR against this applicant. Hence, this case.
6. After due consideration on the entire material present in the case, I am of this view that present is a fit case where the applicant can be granted anticipatory bail.
7. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting her on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when

required;

- (ii) that the 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;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha