

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 777 of 2019**

Ashok Kumar Singh, S/o Vanshraj Singh, Aged About 53 Years,
R/o Near Patel Fabrication, Chandrapur, Police Station
Chandrapur, District Janjgir Champa, Chhattisgarh.

---- Applicant**Versus**

State of Chhattisgarh, Through: Station House Officer, Police
Station, Chandrapur, District Janjgir Champa, Chhattisgarh.

---- Non-Applicant

For Applicant : Shri V. R. Tiwari, Advocate.

For Non-Applicant/State : Shri Shakti Singh Thakur P. L.

Hon'ble Shri Justice Sanjay Agrawal**Order On Board****14.02.2019**

1. This is the third bail application preferred under Section 439 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for grant of regular bail, as the applicant has been arrested on 09.04.2018 in connection with Crime No.70/2018, registered at Police Station Chandrapur, District Janjgir-Champa (C.G.) for the offence punishable under Sections 420, 467, 468 and 471/34 of the Indian Penal Code, 1860 (for short 'IPC').
2. It is submitted by Shri Tiwari learned counsel for the Applicant that after the rejection of second bail application, an application

was made before the concerned trial Court under Section 320 (2) of Cr.P.C. for compoundable of offences. After considering the said application, the trial Court vide order dated 26.10.2018 has allowed the same in part, while exonerating the applicant under Section 420 of the IPC. He submits further that allegation of issuance of forged appointment letter was only against his son-in-law namely, Suraj Shivhare and not against this applicant (Ashok Kumar Singh), therefore, he may be enlarged on bail.

3. On the other hand, learned State counsel opposes the bail application and submits that though the applicant has been exonerated under Section 420 of the IPC, however, the other offences punishable under Sections 467, 468 and 471/34 of the IPC are serious in nature based upon the complaint lodged by one Ram Gopal Dewangan on 09.04.2018 and, evidence are yet to be commenced before the trial Court. The applicant is, therefore, not entitled to be enlarged on bail particularly, when his second bail application is rejected on 23.08.2018 after considering all the contentions of the applicant.
4. Having considered the facts and circumstances of the case, I do not find any change in the circumstances of the case nor any reason to entertain this repeat bail application.
5. Accordingly, the third bail application is rejected.

Sd/-
(Sanjay Agrawal)
Judge