

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 1500 of 2019

- Saroj Padhi S/o Manmath Padhi Aged About 24 Years R/o Begumpur, Police Station- Begumpur, District- Rohni, New Dehli-110086., Delhi

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station- D.D. Nagar, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sharad Mishra, Advocate.
For Respondent/State : Mr. KK Dewangan, Dy. G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

25/06/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 17/2019, registered at Police Station DD Nagar, District Raipur (C.G.) for the offence punishable under Section 420/34 of the IPC.
2. In this case there are total three accused persons. As per prosecution story, it is alleged that by way of fraud and cheating, the accused persons got the amount deposited by the complainant Tara Sahu in the bank account of accused to Rs. 7,10,000/-. Allegedly, some amount deposited in the back account of present applicant. On the basis of said background, offence has been registered. The applicant is in custody since 07.02.2019.

3. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the case due to some dispute with the complainant. He further submits that both the parties have settled their matter and already submitted an application for compounding the offence under Section 320 of Cr.P.C. Though the Trial Court has not permitted to compound the offence. But, it is clear that both the parties have settled their matter. The applicant is in custody since 17.02.2019 and trial is likely to take some time. Therefore, the applicant may be released on bail.
4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that both the parties have settled their matter, the applicant is in custody since 17-02-2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one solvent surety for the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-

(Arvind Singh Chandel)

Judge