

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2047 of 2019**

- Vinod Singh Rajput S/o Muni Singh Rajput Aged About 38 Years R/o Nutan Chowk Sarkanda, Police Station Sarkanda, Tahsil And District Bilaspur Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through Collcetor Bilaspur, Chhattisgarh, Through Police Station Sarkanda, District Bilaspur, Chhattisgarh.

---- Respondent

For applicant	Mr. CJK Rao, Adv.
For Respondent/State	Ms. Sangeeta Mishra, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

2-5-2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 768/2017 registered in police station Sarkanda, Distt. Bilaspur (CG) for offence punishable under Sections 420, 467, 468 and 471, IPC.
3. Perused the case diary.
4. Prosecution story in brief is that the applicant prepared a forged agreement for sell of disputed property wherein it has been said that the complainant Smt. Saroj Gupta is agreed to sell the disputed property to him for a consideration of Rs. 40,51,000/- and she has obtained Rs. 5,51,000/- as advance. In that forged agreement for sell, allegedly forged signature of complainant Smt. Saroj Gupta has been put and the complainant actually has not signed in the agreement for sell.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further submits that alleged agreement for sell is notarized but the police has not recorded statement of notary. The applicant is in jail since November, 2019. He has also filed a suit for specific performance of contract. Hence he may be released on bail.
6. On the other hand, the State Counsel opposed the bail application. However, he submits that no criminal antecedent of the applicant is reported in the police case diary.
7. As per the opinion of State Examiner of Questioned Documents, the questioned signatures are not genuine signatures but they are forged signatures.
8. As per letter dated 6-11-2018, addressed to the 2nd Additional Sessions Judge, Bilaspur the expert had examined the disputed document.
9. Looking to the above mentioned facts and circumstances of the case, looking to the prima facie evidence available on record against the applicant, this Court is not inclined to grant bail to the applicant.
10. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge