

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 532 of 2019**

Sameer Chand Suman, S/o. Shri Haridar Prasad Sinha, Aged About 54 Years, R/o. C-60, Gayatri Nagar, Raipur Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : The Station House Officer, Police Station City Kotwali, Raipur, District Raipur Chhattisgarh.

---- Respondent**M.CR.C.(A). No. 607 of 2019**

Jasvinder Singh Gurudatta, S/o. Shri Gurubhed Singh, Aged About 36 Years, R/o. Near Gurudwara, Shyam Nagar, Telibandha, Raipur Chhattisgarh.

----Applicant**Versus**

State Of Chhattisgarh, Through : Station House Officer, Police Station - City Kotwali, Distri - Raipur Chhattisgarh.

---- Respondent

For Applicants : Mr. S.S. Rajput, Advocate

For Respondent : Mr. Arun Shukla, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****18/04/2019**

- Both the bail applications are heard and decided together by this common order as they are arising out of the same crime number and the incident.
- Apprehending arrest in connection with Crime No.94/2019, registered at Police Station – City Kotwali, Raipur, District – Raipur

(C.G.) for offence punishable under Section 417, 420, 467, 468, 471, 472, 511 and 120-B of the Indian Penal Code, 1860, the applicants have preferred these applications for grant of anticipatory bail.

3. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case. No case is made out against the applicants regarding commission of offence that have been registered against them. Both the applicants are proprietor of travel agencies and the vehicles of their agencies were requisitioned by police for use of security forces deployed in Bhilai and other places within the State. The applicants used to submit bills for payment of fare on the basis of the report received from their drivers and the reports were in turn verified by the concerned police officers incharge. These applicants have nothing to do with the alleged forged verification report. The applicants have received the payments for the vehicle requisitioned for the period starting from January, 2018 to July, 2018 and subsequent bill raised by them have been refused to be paid by them only for the reason that one of the officer asked for commission, which the applicants have refused to pay and on the other hand they have been falsely implicated in this case. Therefore, it is prayed that the applicants be granted anticipatory bail.
4. Per contra learned State counsel opposes the applications for grant of bail and the submissions made in this respect. It is submitted that according to the FIR lodged, there is clear statement made by the concerned police officer that the signatures affixed on the report of the plying of vehicles were not affixed by him, therefore, it is clear

case of forgery and cheating. Therefore, they are not entitled to be released on anticipatory bail.

5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
6. According to the prosecution case, these applicants have raised false and fabricated bills for payment of the vehicles requisitioned by the police department, regarding which FIR has been lodged.
7. Considered the submissions made and the contents of the case diary. Considering on the entire material present in the case diary, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicants.
8. Accordingly, both the anticipatory bail applications filed under Section 438 of Cr.P.C. are allowed.
9. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
 - (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram