

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2356 of 2019

- Kamlesh Kumar Tandey S/o Shri Brij Lal Tandey Aged About 38 Years
Occupation Civil Construction, Studying, Main Road, Karan Nagar, New
Changorabhatha, Raipur, District Raipur Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station
Civil Lines, Raipur, Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Raghavendra Pradhan, Advocate
For State/respondent	: Mr. I. Lakra, Deputy Government Advocate

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/04/2019

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant, who has been arrested in connection with Crime No.110/2019, registered at Police Station – Civil Lines, Raipur (C.G.), for the offence punishable under Section 420, 467, 468, 34 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The only role that the applicant has played is that he had shown the land for sale to the complainant and he had not participated in the negotiation of the sale. Complainant Smt. Jyoti Sunani and applicant have entered into compromise to settle their dispute, regarding which a compromise deed has been filed by the

complainant and the applicant. The applicant is in jail since 28.02.2019 and there is no requirement of his detention any further. Therefore, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, this applicant had shown the land belonging to one Sarita Singh which was purchased by the complainant by a registered sale deed. Later on complainant came to know that the name of Sarita Singh was not recorded in the revenue papers, therefore, she had filed the complaint.
6. After considering the entire material present in the case and also that a compromise took place between the applicant and the complaint, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge