

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2613 of 2019

Ravi Kumar Vaghela, S/o. Kanubhai Vaghela, Aged About 28 Years, R/o. Sector - 4(C), Plot No. 737/2, Gandhi Nagar, District - Gandhi Nagar, Gujarat.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Civil Line, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Rajeev Shrivastava, Advocate
For Respondent/State	: Mr. Aadil Minhaz, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

02/07/2019

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.325/2018, registered at Police Station – Civil Line, District – Raipur (C.G.) for the offence punishable under Section 384, 201 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 applicant is in jail since 17.03.2019. The applicant has not committed any offence as allege. The complainant in this case has realized and she has entered

into a compromise with this applicant, regarding which the application has been filed before the trial Court for compromising the case, which is pending for decision. Certified copy of the application filed for compromise and the order sheet in this respect are produced along with the application. Charge-sheet in this case has been filed after completion of investigation. Therefore, it is prayed that the applicant be granted regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the complainant has leveled serious allegations against this applicant, therefore, he is not entitled for grant of anticipatory bail.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, the complainant/victim had some relation with this applicant. It is alleged that this applicant by putting the complainant under threat that he has some private images of the complainant in his possession, which he will make viral and on that basis demanded money from her time to time and committed the offence of extortion. Hence this case.
6. Considered on the submissions made and the contents of the case diary. Considering the fact that the case is now before the trial Court although the case is not compoundable but there is private compromise between the parties, hence for this reason, 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