

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2640 of 2019**

- Rakesh Bhonsale S/o Shravan Bhonsale Aged About 29 Years R/o Maharaza Ke Bagiya, Chandangaon, Chindwada, P.S. Chandangaon, District- Chindwada, (M.P.), Present Address- Bhatagaon, Sai Vila, P.S.- Purani Basti, District- Raipur, CG

---- Applicant

Versus

- State Of Chhattisgarh Through Ps- Kabir Nagar District- Raipur, CG

---- Respondent

For applicant	Mr. Devarshi Thakur, Adv.
For Respondent/State	Mr. Wasim Miyan, PL.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****1-5-2019**

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. 150/2018 registered in police station Kabir Nagar, Distt. Raipur (CG) for offence punishable under Section 420 and 34 of IPC.
3. Perused the case diary.
4. Prosecution story in brief is that complainant Smt. Kamla Joshi is a resident of Kabir Nagar, Raipur. M/s. Bhosle Property India Ltd. through director co-accused Rajeev Bhosle executed an agreement for sell of disputed land with complainant at the rate of Rs. 575/- per sq.ft. The complainant gave Rs. 5,05,000/- to the applicant and co-accused Rajeev Bhosle and Rahul Bhosle. Thereafter applicant and co-accused did not execute registered sale deed in favour of the complainant. They also did not return the said consideration amount to the complainant.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further submits that the offence is triable by JMFC, charge sheet has been filed. The applicant is in jail since 8-1-2019, FIR is delayed by 3 months. There is a civil dispute between the complainant and the applicant. Hence he may be released on bail.
6. On the other hand, the State Counsel opposed the bail application. He further submits that 3 cases under IPC are registered against the applicant.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge