

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2790 of 2019**

- Santosh Pandey S/o Rajmangal Pandey Aged About 48 Years
Radhaswami Nagar, Bhatagaon, Police Station- Rajendra Nagar
Raipur, Civil And Revenue District- Raipur, CG

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station Rajendra Nagar, District-
Raipur, CG

---- Respondent

MCRC No. 2891 of 2019

- Rajesh Khanna S/o Late Bhagatram Khanna Aged About 50 Years R/o
Khelkarpara, Raipur, Tahsil And District Raipur CG

----Applicant

Versus

- State Of Chhattisgarh Through Police Station Rajendra Nagar, Raipur
CG

---- Respondent

For applicant	Mr. Arvind Shrivastava, Adv.
For non-applicant/State	Mr. Vikram Dixit, GA
For objector	Mr. Harshwardhan Pargania, Adv.

Hon'ble Shri Justice Sharad Kumar Gupta**Order On Board****19-6-2019**

1. As both the above bail applications arise out of same crime number of same police station, they are being disposed off by this common order.
2. These are first bail applications under Section 439 of the Cr.P.C. preferred by the applicants before this Court and their no bail application is pending before any other court.
3. The applicants have been arrested in connection with Crime No. 80/2019 registered in police station New Rajendra Nagar, Raipur Distt. Raipur (CG) for offence punishable under Section 409, 420, 120-B and 34 of IPC.
4. Prosecution story in brief is that complainant Inderpal Chawla is one of the directors of Gentle Entertainment Pvt. Ltd. Company. Applicant Rajesh Khanna, co-accused Gurvinder Singh Anand, Navin Sharma, Akash Dubey, Mahesh Gupta, Gurucharan Singh Hora and Taranjeet Singh Hora are also directors in said company. Applicant Santosh

Pandey, co-accused Manoj Upveja, Ajay Tiwari, Vikki Gulati alias Jaipal Singh are ex-directors of said company. Co-accused Suresh Nihal is also a share holder of said company. Applicant Rajesh Khanna, co-accused Gurvinder Singh Anand, Navin Sharma, Akash Dubey, Mahesh Gupta misappropriated an amount of Rs. 53,13,700/- of said company. Applicant Santosh Pandey, co-accused Manoj Upveja, Ajay Tiwari, Vikki Gulati alias Jaipal Singh, Suresh Nihal had also hatched conspiracy with them.

5. Counsel for the applicants argued that the applicants are innocent and have been falsely implicated, matter pertains to civil nature, other co-accused have been released on anticipatory bail by coordinate bench of this Court, case of the applicants are similar to that of them, hence they be also released on bail.
6. On the other hand, the State Counsel opposed the bail applications. He further submits that one similar type of case has been registered against applicant Santosh Pandey but no criminal antecedent has been reported against applicant Rajesh Khanna in the police case diary.
7. As per web copy of the order passed in MCRC(a) No. 629/2019 and other connected matters dated 17-5-2019, co-accused Ajay Kumar Tiwari, Mahesh Gupta, Vikki Gulati alias Jaipal Singh Gulati, Sanjay Makhija, Suresh Nihal, Navin Sharma, Manoj Upveja have been granted anticipatory bail by coordinate bench of this Court. The case of applicants is not more severe than that of co-accused Navin Sharma and Mahesh Gupta. Hence the applications are allowed. It is ordered that if each of the applicants furnishes two solvent sureties each for a sum of Rs. 25,000/- along with one personal bond of Rs. 25,000/- to the satisfaction of the trial Court concerned with the condition that they shall appear before court concerned at 11.00 am as and when directed by the said court and they will not involve themselves in any of the crime in future, they be released on bail.
8. CC as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge