

**NAFR**

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRCA No. 734 of 2019**

- Yashpal Singh S/o Ramayan Singh, Aged About 32 Years, R/o Parthiv Pesific, Tatibandh, Raipur, Tahsil and District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

**---- Applicant**

**Versus**

- State of Chhattisgarh, Through Station House Officer, Police Station Amanaka, Raipur, Civil and Revenue District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

**---- Non-applicant**

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For Applicant – Shri G.S. Ahluwalia, Advocate.

For Non-applicant/State – Shri Aditya Sharma, Panel Lawyer.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**11-07-2019**

1. Apprehending arrest in connection with Crime No.64/2019, registered at Police Station – Amanaka, Raipur, District- Raipur, Chhattisgarh for offence punishable under Section 420, 34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. In fact, the applicant borrowed Rs.6,00,000/- from Pukar Chandrakar and he was unable to return the same in time because of which the false FIR was lodged against him alleging that the applicant had obtained money on the pretext that he will provide him some job. In the development later on the applicant and complainant Pukar Chandrakar had entered into a compromise. The compromise agreement is produced along with the application, in which the complainant has mentioned that he has received all the amount due and he has no complaint against the applicant. Therefore, it is prayed that the applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application

submitting that according to the allegation in the FIR and the statement given by the complainant, no case is made out for grant of anticipatory bail. However, it is submitted that on verification of the agreement filed by the applicant it has been reported that this agreement has taken place and the complainant has made statement in support of this agreement.

4. Heard learned counsel for the parties and perused the case diary.

5. The FIR has been lodged that this applicant had by giving inducement to complainant Pukar Chandrakar that he can get him appointed to a job in D.K. Hospital, Raipur obtained Rs.6,00,000/- as illegal gratification. Hence, this case.

6. After considering that a compromise has taken place between the applicant and the complainant and the complainant no longer has any grievance against this applicant, I feel inclined to allow this application.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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 applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-  
**(Rajendra Chandra Singh Samant)**  
**Judge**

Aadil