

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3892 of 2019

Ravishankar Ojha, S/o. Late Ramnath Ojha, Aged About 35 Years, R/o. F-34, Maruti Residency, Amlidih, Raipur Tahsil And District Raipur, Chhattisgarh and Permanent R/o. Shrirampath Road, Panki Road Redma, P.S. Daltonganj, District Palamau, Jharkhand.

---- Applicant

Versus

State Of Chhattisgarh, Through: Police Station, Telibandha, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Dhirendra Pandey, Advocate
For Respondent/State	: Mr. Devendra Pratap Singh, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

23/07/2019

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.511/2018, registered at Police Station – Telibandha, Raipur, District – Raipur (C.G.) for the offence punishable under Section 420 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. No case is made out against the applicant. The applicant is in jail since 21.03.2019. In fact, the applicant and the complainant had entered into a contract in which the applicant has failed to perform his part, therefore, it is a civil

dispute. Charge-sheet in this case has been filed after completion of investigation. Therefore, it is prayed that the applicant may be enlarged on 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 applicant has cheated the complainant for Rs.40.00 lakhs, which is a huge amount, therefore, the application be rejected.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, the applicant is a proprietor of travel agency styled as Mitran Vacation. Complainant Sandeep Dhupad entered into an agreement with the applicant for arrangement of tour to Singapore for group of 40 persons. The complainant has paid the applicant in installments in total Rs.40.00 lakhs. However, the travel tickets that were provided to the complainant were found to be forged and booking in hotel that were done by the applicant were found canceled. Hence, the FIR has been lodged.
6. Considered on the submissions made and the contents of the case diary. After considering the entire material present in the case diary and for the reason that the case is now pending for trial and there is likelihood of delay in conclusion of trial, 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

Balram