

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 984 of 2019**

Shriram Singh S/o Tej Bhadur Singh Aged About 44 Years R/o C-203, 9 Galaxy Building, Ramdev Park, Near Sardar Vallabh Bhai Patel School, Meera Road East Meera, Bhandar, Meera Road, Thane (Maharashtra)

---- Applicant

Versus

State Of Chhattisgarh Through Arakshi Center, Ambagarh Chowki, District Rajnandgaon Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For applicant – Shri Krishna Tandon, Advocate.
For Respondent/State – Shri Anand Verma, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order****04/07/2019**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 240/2014 registered at Police Station Ambagarh Chowki (C.G.) for offence punishable under Section 420/34 of the Indian Penal Code.
2. As per the prosecution case, the applicant was controlling a trust namely Janmanch Welfare Trust which had its office at Maharashtra and one of the Branch was opened at Rajnandgaon. The trust was said to be opened to give computer training and education to the children. Therefore, the advertisement was made and pursuant to the advertisement made, students deposited different amount on the basis of browser prospectus which contained photograph of the then President Smt. Pratibha Patil, Indira Gandhi, other players etc. and it was stated that they are authorized by the President of India and allowed by the Central Government to carry on the mission of imparting computer education to the children. Few of the persons deposited franchise amount and registration fees so that they can be affiliated with the accused and despite that nothing transpired. Thereby offence has

been committed.

3. Learned counsel for the applicant submits that services of one Jyoti Tiwari was terminated in the year 2015 since she was not able to perform her job. He submits that despite her termination from the service she in the name of the trust has collected different amount from the person. He further submits that the applicant was not even aware of the fact that charge sheet have been filed. Learned counsel submits that in criminal case compromise has been affected, therefore no case is made against the applicant and he may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the case diary. After perusal of the case diary and the documents filed alongwith the petition would show that after compromise was affected, petition has been filed by one of the co-accused before the court below. After charge sheet filed in the year 2015 instant petition has been filed. Admittedly the applicant was absconding and it is only after some compromise has been affected this instant petition is filed. Taking into fact that the applicant was absconding from day one, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
JUDGE