

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1534 of 2019

- Pradeep Agrawal S/o Late Shri Ramvallabh Agrawal Aged About 59 Years
R/o Kanha Kutir, Opposite to ICICI Bank, Choubey Colony, Police Station
Aazad Chouk, Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Superintendent Of Police, Economic Offence
Wing / Anti Corruption Bureau, Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Rajat Agrawal, Advocate.
For Respondent/State	: Shri Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

07/11/2019

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No. 164/2019 registered at Police Station Mauda Para, District – Raipur, (C.G.). for the offence punishable under Sections 420, 506 of I.P.C. read with Section 34 of I.P.C.
2. As per the prosecution story, on 31.07.2016 one MOU was executed

between present Applicant and Complainant of the case. Thereafter, Complainant made a complaint alleging therein that present Applicant has not followed the terms and conditions of the MOU and thereby had cheated the Complainant and had caused a loss of Rs. eleven crore to the Complainant. On the basis of the said, offence has been registered.

3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case by the Complainant. He further submits that, if the entire story is taken as it is, the case seems to be of civil nature. Also, after filing of F.I.R., compromise has been taken place between both the parties. Therefore, present Applicant may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State opposes the bail application.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the fact and circumstances of the case and further considering the fact that both the parties have settled their matter and compromise has been done, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :

- (i) He 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 from disclosing such fact to the Court,

- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge