

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6624 of 2019**

- Parimal Chandrashekhar Kotpalliwar S/o Chandrashekhar Kotpalliwar, aged about 42 years, resident of Flat No.405, Sai Shradha Complex, Ramara Maruti, Plot No.76, Pawansut Nagar, Hanuman Nagar, Nagpur, Tehsil and District Nagpur (Maharashtra)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Chakarbhata, District Bilaspur (C.G.)

---- Respondent

For Applicant	:	Shri Ashish Shukla, Adv.
For Respondent	:	Ms. Reena Singh, P.L.
For Objector	:	Shri Sanjeev Kumar Sahu, Adv.

Hon'ble Smt Justice Rajani Dubey**Order on Board****03/12/2019**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.98/2019, registered at Police Station - Chakarbhata, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 420, 34 of IPC.
2. The prosecution story, in brief, is that the present applicant along with co-accused fraudulently took Rs.60,18,000/- from complainant Pankaj Kaushik on the pretext of providing admission in the Dermatology Skin Disease Expert DDVL Department. Based on this, offence has been registered. The present applicant has been taken into custody on 18.06.2019.
3. Learned counsel for the applicant submits that the applicant

is innocent and has been falsely implicated in the case. He further submits that there is every possibility of amicable settlement between the complainant and applicant during trial. He also submits that a complaint case has also been registered against the applicant under Section 138 of the Negotiation Instrument Act, therefore, there is no chance that the complainant would not get the money back. It is next submitted that the applicant is in custody since 18.06.2019, the offence is triable by Magistrate and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 18.06.2019, the offence is triable by Magistrate and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on his executing a personal bond for a sum of Rs.1,00,000/- - Rs.1,00,000/- with two local sureties for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge