

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8847 of 2018**

Salikram S/o Milan Ram Deshmukh Aged About 60 Years R/o Village
And Post- Pisegaon, Tahsil And District- Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Pulgaon, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri T.K. Jha, Advocate
For the State	:	Shri Neeraj Sharma, Dy. G.A.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**03/01/2019**

1. This is the first bail application under Section 439 of the CrPC and there is no bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.356/2018 registered at Police Station Pulgaon, District Durg (C.G.) for the offence punishable under Section 420 of IPC.
3. Case of the prosecution, in brief is that on 30/05/2011 applicant entered in agreement for sale of disputed land with Syed Dilshad Ali and received advance. Thereafter he again entered in agreement for sale of disputed land with Sohan Lal Sharma on 05/03/2012. He had received 11.50 Lacs as an advance from complainant Sohan Lal Sharma. Thereafter he executed registered sale-deed of the disputed land on 15/02/2018, 19/02/2018 in favour of Savitri Bai Deshmukh and Padm Jain. Complainant Sohan Lal Sharma lodged FIR on 02/10/2018 in Police Station, Pulgaon.
4. Learned counsel for the applicant submits that he has innocent and falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. Counsel for the applicant further submitted that said complainant and Syed Dilshad Ali are land broker. Applicant had requested them to execute the registered sale-deed but they did not do so. He had also given the notice to said complainant. Applicant has need of money thus he executed registered sale-deed to other purchasers. He drew my attention on photocopy of registered notice dated 26/02/2014 addressed to said complainant Sohan Lal Sharma, photocopy of the application addressed to Superintendent of Police, Durg against said complainant and Syed Dilshad Ali.
7. Looking to the facts and circumstances of the case, looking to the fact that

there is no likelihood of the accused to abscond and tamper the evidence, it is directed that if the applicant furnishes one solvent surety for a sum of Rs. 25,000/- along with a personal bond in the like sum to the satisfaction of the concerned Court with the condition that he shall appear before the trial Court at 11.00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.

8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde