

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 1634 of 2018**

Narendra Singh Tuteja, S/o. Govind Singh Tuteja, Aged About 62 Years,
R/o. Amlibhaun, Mitthumuda, Raigarh, Police Station -Jutmil, Raigarh
District Raigarh Chhattigarh.

----Applicant

Versus

State Of Chhattisgarh, Through: Police Chowki Jutmil, Police Station City
Kotwali, Raigarh, District Raigarh Chhattisgarh.

---- Respondent

For Applicant	: Mr. Manoj Paranjpe, Advocate
For Respondent/State	: Mr. A.N. Bhakta, Dy. A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****21/01/2019**

1. Apprehending arrest in connection with Crime No.1169/2018, registered at Police Station – City Kotwali, Police Chowki – Jutmil, District – Raigarh (C.G.) for offence punishable under Section 420 read with Section 34 of the Indian Penal Code, the applicant has preferred this application for grant of anticipatory bail.
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 on the basis of the material present in the case diary. The applicant is the President of the education society, which runs Ranjeet Public School, Raigarh. This applicant has not acted in taking admission of the student etc. in the school and he never had direct contact with the complainant. The principal of that

school Ku. Sweeti @ Surinder Kaur has been granted anticipatory bail by this Court in M.Cr.C.(A) No.1371/2018 vide order dated 14.11.2018 and the applicant has better case, therefore, it is prayed that the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. According to the FIR lodged, the complainant was induced by co-accused Ku. Sweeti that school has recognition from the CBSE because of which, he admitted his son and huge amount has paid in fees. Later on it was discovered by the complainant that the school was not recognized from CBSE. Hence, this case.
6. Considered the submissions and the contents of the case diary. Considering on the entire material present in the case diary and further taking into consideration this fact that similarly placed co-accused has been enlarged on anticipatory bail by this Court, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram