

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9666 of 2018**

Jagdeep Singh Khanuja, aged about 32 years, S/o Sanmukh Singh Khanuja,
R/o R-8/12, Rama Valley Bodri, Police Station Chakarbhata, Bilaspur (CG).

---- Applicant**Versus**

State of Chhattisgarh, through Station House Officer, Police Station Sarkanda,
Bilaspur, District Bilaspur (CG).

---- Non-applicant

For Applicant	: Mr. R.S. Marhas, Advocate
For Non-applicant	: Mr. Sumit Jhanwar, Panel Lawyer
For Objector	: Mr. Amit Kumar, Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

15.01.2019

1. This is the second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.120/2018 registered at Police Station Sarkanda, Bilaspur for the offence punishable under Section 420 of Indian Penal Code.
2. The first bail application of the applicant was rejected on merits by the order of this Court dated 30.08.2018 passed in M.Cr.C. No.5681 of 2018.
3. Case of the prosecution in brief is that the applicant had executed an agreement for sale regarding house and 1000 sq. ft land situated in village Mopka with complainant Naresh Kumar Adwani. Consideration was Rs.25 lakhs. Applicant received Rs.17 lakhs as earnest money.
4. Counsel for the applicant submitted that the applicant is a innocent person and has been falsely implicated in the present case. He further submitted that mother of the applicant is suffering from hepatic dysfunction. The applicant had executed an agreement with one Harisadan Gupta to purchase the land earlier. Thereafter, he entered a disputed agreement. The seller of the earlier agreement for sale to Harisada Gupta cancelled the said agreement thus matter is of civil nature thus in these circumstances the applicant may be released on bail.

5. On the other hand, counsel for the State opposed the bail application.
6. There is no such evidence that except the applicant, nobody is taking care of his mother.
7. Looking to the above mentioned facts and circumstances of the case, there is no such change in the circumstances of the case on the strength of which the applicant be released on bail. Consequently, the second bail application of the applicant is rejected.
8. Certified copy as per rules.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-