

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1662 of 2018

- Salim Khan @ Madar Khan S/o Shri Najim Khan Aged About 45 Years
R/o Dudhkaiya Khapri, Thana Rajim, District: Gariyaband Chhattisgarh,
District : Gariyabandh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Ranchirai, District
Balod, Chhattisgarh, District : Balod, Chhattisgarh.

---- Respondent

For Applicant : Mr. S.S. Rajput, Advocate.

For Respondent : Mrs. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

07/01/2019

1. The applicant has preferred this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.45/2018 registered at Police Station-Ranchirai, District – Balod (C.G.), for the offence punishable under Section 420 of the IPC.
2. Learned counsel for applicant submits that applicant is innocent and has been falsely implicated in this case. No case is made out against the applicant. Infact the applicant had borrowed Rs.7 lakhs from the father of the complainant, which he could not return to him. As the claim of complainant has become time barred that is why instead of filing a money recovery suit, the complaint has been filed against this

applicant, Hence, it is prayed that this applicant may be granted anticipatory bail.

3. Learned State Counsel opposes the bail application and the submissions made in this respect. It is submitted that though there is delay of five years in lodging FIR but it is a clear-cut case of cheating, therefore, the application is liable to be rejected.
4. Heard both the parties and perused the case diary.
5. Complainant Udayram Sahu has lodged FIR against this applicant alleging that in the year of 2013 this applicant has obtained a sum of Rs.7 lakh from the complainant and his father on the pretext of providing employment to the complainant in the police department. This applicant has also given receipt of the said amount in a stamp paper. However, neither the complainant got employment nor the money was returned by the applicant. Hence, this case.
6. Considering the nature of allegation levelled against this applicant and the material present in the case diary, I am not inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is rejected.

Sd/-

(Rajendra Chandra Singh Samant)

Judge