**NAFR**

# HIGH COURT OF CHHATTISGARH, BILASPUR

**MCRCA No. 29 of 2019**

- Smt. Jasmeet Sachdev W/o Kailash Sachdev, Aged About 34 Years, R/o House No.02/16 Sector-1, Udaya Society Tatibandh, Raipur Chhattisgarh, District : Raipur, Chhattisgarh

**---- Applicant**

**Versus**

- State of Chhattisgarh Through Police in-charge, Police Station Ganj, Raipur, District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

**---- Non-applicant**

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For Applicant – Shri Ankur Agrawal, Advocate.
For Non-applicant/State – Shri A.N. Bhakta, Deputy Advocate General.

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**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**Order on Board**

**22-01-2019**

1. Apprehending arrest in connection with Crime No.389/18, registered at Police Station – Ganj, Raipur, Chhattisgarh for offence punishable under Section 420, 467, 468, 471, 34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. This applicant had bonafidely proceeded for obtaining loan by filing quotation for purchase of the car. The bank approved the loan and the loan amount has been directly transferred to the car dealer, Speed Automobiles Raipur. Against that loan the applicant has purchased the car and regarding which she is regularly paying installments, on failure to pay few installments the bank has proceeded against this applicant under Section 138 of the Negotiable Instruments Act. Further, the bank has also entered into compromise with the main accused, Kailash Sachdev who is husband of this applicant. Apart from that, this applicant is simply a house-wife in whose name her husband had purchased the car, therefore, it is prayed that this applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application

submitting that the quotation filed for sanction of loan by this applicant was found to be forged, therefore, the applicant is not entitled for grant of anticipatory bail.

4. Heard learned counsel for the parties and perused the case diary.

5. The case against the applicant is this, that she filed application for loan for purchase of Skoda car before Central Bank of India Branch Fafadih along with the quotation of the said dealer Speed Automobiles, Raipur. The loan was sanctioned and the amount was transferred in the account of Speed Automobiles, Raipur. Later on, the bank came to know that the account in the Yes Bank was closed and the dealer was not found in the given address. Therefore, the FIR has been lodged.

6. After considering on the entire material present in the case diary and on the submissions made on behalf of the applicant, I feel inclined to allow this application.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her 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 herself 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 her by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
**(Rajendra Chandra Singh Samant)**
**Judge**

Aadil