

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6717 of 2019**

- Smt. Chaman Mathur W/o Late Shri Lakhan Lal Mathur Aged About 48 Years, R/o Mig-20 Narmada Nagar, Mangla Chowk, Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : District Magistrate- Janjgir-Champa, District-Janjgir-Champa, Chhattisgarh.

---- Respondent

MCRC No. 8095 of 2019

- Smt. Sucharita Vaishnav W/o Ramashanker Vaishnav Aged About 61 Years, R/o Khaparganj, Marwadi Line, Police Station City Kotwali, Bilaspur, Tahsil And District - Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through : The District Magistrate- Janjgir, District - Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Rajeev Ku. Dubey, Adv. in MCRC No. 6717/2019.
	:	Mr. N. K. Chatterjee, Adv. in MCRC No. 8095/2019.
For Respondent/State	:	Mr. Akhtar Hussain, PL.
For Objector	:	Mr. Vaibhav A. Goverdhan, Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****16/12/2019**

1. As both MCRCs arise out of same crime number, they are being heard and disposed of by the common order.
2. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 152/2019 registered at Police Station Hasaud, District-Janjgir-

Champa (C.G.) against applicants for the offence punishable under Sections 420 and 120 (B)/34 of the IPC.

3. The prosecution story, in brief is that, on 27.09.2019 complainant Shushila Sinha lodged a report that Chaman Mathur along with other co-accused persons on the basis of assurance made that they would help her to getting the lease at Bilaspur-Raipur Main road namely as Shakambari Indian Petrol Pump and on the basis of that, accused persons cheated Rs. 20-22 lakhs, from her but applicants/accused persons neither fulfilled their promise nor returned money. Based on this offence has been registered against the present applicants.
4. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the applicants are in jail since 27.09.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.
5. On the other hand, counsel for the State opposes the bail application.
6. Counsel for the objector opposes the bail application and submits that the present applicants along with other co-accused cheated the complainant and got Rs. 20-22 lakhs from the complainant for lease of petrol pump but they did not fulfill their promise.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the offence is triable by Judicial Magistrate First Class. Applicant Smt. Chaman Mathur is aged about 48 years old lady and applicant Smt. Sucharita Vaishnav is aged about 61 years old lady and the applicants are in jail since 27.09.2019, and the trial is likely

to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the applications are allowed.

9. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 1,00,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**