

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 297 of 2020**

- Kundan Singh, aged about 40 years, S/o Shri Khuman Singh, R/o H.No. 193, Government Colony, Birla, village Nagada, District Ujjain (M.P.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through- Station House Officer, Police Station Azad Chowk, District Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Shri Navin Shukla, Advocate
For Respondent	:	Shri Sameer Sharma, Dy.G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****25/02/2020**

1. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.152/2017, registered at Police Station - Azad Chowk, District Raipur (C.G.) for the offence punishable under Sections 419, 420, 467, 468, 471 IPC.
2. The prosecution story, in brief, is that complainant namely Neetu Singh made a written report at Police Station Azad Chowk, Raipur alleging therein that in the year 2013, the applicant applied for loan for financing a car. Due to non payment of installment by the applicant, in the year 2017 the bank debited her account for installment of Rs.9,000/- then she came to know about the entire incident that the applicant by fake signature made her as co-applicant. Based on this, offence has been registered. The applicant has been taken into custody on 17.11.2019.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He

further submits that though the loan was taken in the year 2013 but he has continuously repaid the loan amount till 2017 and the vehicle is still mortgaged. He next submits that the complainant has also executed an affidavit wherein she has no objection if the applicant is enlarged on bail. He also submits that the applicant is in custody since 17.11.2019, charge sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the totality of the facts and circumstances of the case, nature of offence and further considering the fact that the present applicant is in custody since 17.11.2019, charge sheet has been filed and the disposal of case may take some time, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the application is allowed. The applicant is ordered to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge