

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 194 of 2020**

1. Naveen Sharma S/o Late Kailash Chand Sharma Aged About 48 Years R/o Shyamkunj, Rohnipuram, Police Station D.D. Nagar, Tahsil And District Raipur, Chhattisgarh.
2. Manoj Uboweja S/o Late Shri P.L. Ubowela Aged About 57 Years R/o SBI Colony, House No.9, Taigore Nagar, Police Station Kotwali, Raipur, Tahsil And District Raipur, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station New Rajendra Nagar, District Raipur, Chhattisgarh.

---- Respondent**MCRCA No. 236 of 2020**

- Jaipal Singh Gulati S/o Shri Pritam Singh Gulati, Aged About 44 Years R/o Purana Bus Stand, Korba, District Korba Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Its Station House Officer, Police Station New Rajendra Nagar, Raipur, District Raipur Chhattisgarh

---- Respondent**MCRCA No. 255 of 2020**

- Santosh Pandey S/o Shri R. M. Pandey Aged About 48 Years R/o A-35, Radhaswami Nagar, Bhatagaon, Raipur District Raipur Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through Police Station New Rajendra Nagar, District Raipur Chhattisgarh

---- Respondent

For respective Applicants	Mr. Arvind Shrivastava and Mr. Sourabh Sharma, Advocates
For Respondent /State	Ms. Veena Nair, Dy. AG
For Objector	Mr. Ayush Bhatia, Advocate

Proceedings through Video Conferencing

SB: Hon'ble Mr. Justice Prashant Kumar Mishra

Order on Board

17/6/2020

1. Heard.
2. These are the three applications filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No.1/2020 registered at Police Station New Rajendra Nagar, Raipur (CG) for the offence punishable under Sections 420, 409, 34 of IPC.
3. The applicants are the Ex-Directors of Gentle Entertainment Private Limited, Raipur, who were on board till 2015-16. After they were removed from the directorship, an FIR was lodged by one of the new Directors alleging commission of forgery,

misappropriation and cheating. In Crime No.159/2018, the accused persons including the present applicants have been allowed regular bail as well as anticipatory bail by this Court in bunch of M.Cr.Cs. bearing M.Cr.C. Nos. 7024 of 2018, 7434 of 2018, 7696 of 2018 and MCRCA No. 1304 of 2018, decided on 2.11.2018. In another FIR of similar nature bearing Crime No.80/2019, this Court allowed regular bail applications bearing M.Cr.C. Nos. 2790 of 2019 and 2891 of 2019 of two accused vide order dated 19.6.2019. The present is the third FIR in relation to practically similar transaction, in which, the allegation is that the applicants have misappropriated Rs. 43 lakhs by not depositing the same with the Company.

4. Considering that in two previous FIRs containing similar allegations, the applicants have already been released on bail and successive FIRs are filed by the new Directors of the Company, I am of the opinion that present is a fit case in which the applicants should be extended the benefit of Section 438 of Cr.PC.
5. Accordingly, the applications are allowed and it is directed that in the event of arrest of these applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the Arresting Officer with the following conditions :-
 - (i) they shall make themselves available for interrogation by

a Police Officer as and when required;

- (ii) they 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 for disclosing such facts to the Court or to any Police Officer.

6. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

Shyna