

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 1564 of 2020**

1. Kuldeep Singh & Anr. S/o Chandrabhan Aged About 21 Years Resident Of R.Z. -330, M./raj Nagar -2, Palam Colony, South West Delhi -110077
2. Shivam Soni S/o Kapildev Soni Aged About 24 Years Resident Of A-75, Ranaji Enclave, Golden Enclave, Nazafergarh Nangli Safrawati, D.C. Mangli South, West Delhi - 110043

---- Applicants

**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Deepka, District Korba Chhattisgarh.

---- Respondent

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 For Applicant : Mr. S.R. Jaiswal, Advocate  
 For Respondent/State : Mr. Sameer Sharma, Govt. Advocate  
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**Hon'ble Smt. Justice Rajani Dubey**  
**Order on Board**

**04.06.2020**

1. The accused/applicants have moved this first bail application under Section 439 of the Code of Criminal Procedure for their release on regular bail during trial in connection with Crime No.136/2019, registered at Police Station - Deepka, District Korba (C.G.) for the offence punishable under Section 420, 34 of IPC.
2. It is the case of the prosecution that the accused Kuldeep got the amount of Rs. 4,49,913/- transferred from the account of complainant Santosh Gupta to the bank account of applicant no.2 Shivam Soni and thereafter the applicant no.2 transferred the amount in the bank account of applicant no.1 after deducting his commission. Based on this, offence has been registered. The present applicant is in custody since 23.01.2020.

3. Learned counsel for the applicants submit that the applicants have been falsely implicated in the crime in question. He further submits that as the applicants are in custody since 23.01.2020., charge sheet has been filed and the trial is likely to take some time for its final disposal, therefore, they may be released on bail.
4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the facts and circumstances of the case, in particular the nature of offence and further considering the fact that the applicants are in jail since 23.01.2020., charge sheet has been filed and there is no likelihood of his case being decided in near future, without further commenting on merits of the case, I am of the opinion that present is a fit case, in which, the applicants should be enlarged on regular bail.
7. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
8. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in sum of Rs.50,000/- with one local surety each in like sum to the satisfaction of the concerned trial Court for their appearance before the said Court as and when directed, till the disposal of the trial.
9. It is made clear that if the applicants have already been

released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.3.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (C) No. 1/2020), they need not furnish bail bond afresh and the bail bond already furnished shall be deemed to be the bail bond furnished in compliance of the order of this Court, but if they have not furnished the bail bond earlier, then they will be required to furnish bail bond within four weeks from today.

10. Certified copy, as per rules.

**Sd/-**

**(Rajani Dubey)**  
Judge