

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1606 of 2020**

- S. Perumal Raj, S/o Shri Sanmugam, aged about 52 years, R/o 1/48, Modapalli, District Krishnagiri (Tamilnadu)

---- Applicant**Versus**

- State of Chhattisgarh Through : Station House Officer, Police Station Supela, Bhilai, District Durg (C.G.)

---- Respondent

For Applicant	:	Shri Prasoon Agrawal, Advocate
For Respondent	:	Shri Sudeep Verma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****04/06/2020**

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.908/2019 registered at Police Station - Supela, District Bhilai (C.G.) for the offence punishable under Sections 420 r/w section 34 IPC.
2. The prosecution story, in brief, is that on 22.09.2019 a complaint was lodged by the complainant that the applicant along with other accused, on the basis of false pretext of providing loan to the complainant within a span of three years and with an interest of 5% of Rs.200 crores had defrauded the complainant and the applicant along with the co-accused had cheated the complainant in respect of the amount to the tune of Rs.200 crores. Based on this, offence has been registered. The present applicant has been taken

into custody on 12.02.2020.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He also submits that the complainant himself had presented an application (Annexure A/3) to the effect that mutual compromise had already been taken place between the parties and the same was also presented before the learned Court below. He also submits that the applicant is in custody since 12.02.2020 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 record.
6. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 12.02.2020 and there is no likelihood of his case being decided in near future, without further commenting on merits of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.5,00,000/- (Rs. Five Lac only) with one local surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till final disposal of the trial.

9. It is made clear that if the applicant has 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 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if he has not furnished the bail bonds earlier, then he will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-

(Rajani Dubey)
Judge

Pekde