

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2531 of 2020**

1. Lilaram Sonkar, S/o Ramvishal Sonkar, aged about 45 years, R/o Awadhपुरी Colony, Bhatagaon, Tahsil and District Raipur (C.G.)
 2. Mohan Sonkar, S/o - Shri Lilaram Sonkar, Aged about- 20 years (wrongly mentioned in ordersheet as 45 years) R/o Awadhपुरी Colony, Bhatagaon, Tahsil and District Raipur (C.G.)
- Applicants**

Versus

- State of Chhattisgarh, Through- Station House Officer, Police Station-Purani Basti, Raipur (C.G.)
- Respondent**

For Applicants	:	Mr.Pushkar Sinha, Adv.
For Respondent/State	:	Mr. Ayaz Naved, Govt. Adv.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****29/06/2020**

1. 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. 23/2020 registered at Police Purani Basti, Raipur for the offence punishable under Sections 420, 34 of I.P.C.
2. The accused/applicants have already been granted temporary bail by this Court on 12.05.2020 and they were directed to surrender before the trial Court on or before 15.07.2020.
3. The prosecution story, complainant Smt. Sumrit Sonkar made a written complaint on 08.01.2020 to the effect that the applicants took the complainant, Raju Sonkar and Santoshi sonkar to the Registry Office, Raipur on the pretext of getting registry of one room where they got registry of one house constructed on Khasra No. 644/7, area 620 sq.ft. The sale consideration of Rs. 2,00,000/- was to be paid through cheque but the applicants gave blank cheque bearing no. 11007 and subsequently demanded it back and from the

same cheque they withdrew Rs. 3,20,000/-. Thus, the applicants have committed offence punishable under Section 420, 34 of I.P.C.

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 complainant is mother of applicant no.1 and grandmother of applicant no.2 and due to some family dispute this forged case has been registered against them. He next submits that the applicants are in jail since 06.03.2020, 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 and submits that the allegation against the applicant is of serious in nature, therefore, no case is made out for grant them bail.
6. I have heard learned counsel for the parties and perused the case diary.
7. 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 applicants are in jail since 06.03.2020 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 application is allowed.
8. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs.50,000/- 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 till the disposal of the trial.
9. It is made clear that the applicants shall be released on bail only after they furnish the bail bonds as per direction of this Court (order dated 29.6.2020) and then they are not required to surrender before the trial Court on 15.07.2020, as directed vide order dated 12.05.2020.
10. 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 23.03.2020 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 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 they have not furnished the bail bonds earlier, then they shall be required to furnish bail bonds within four weeks from today.

Sd/-

(Rajani Dubey)
Judge