

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2644 of 2020

1. Smt. Jayanti Tandi W/o Pandu Tandi Aged About 37 Years R/o- Raipur Naka, Rajiv Gandhi Nagar, Durg, Behind Pathan Basti, Ward No. 58, House No.- 566, Durg, District- Durg, Chhattisgarh
2. Smt. Hema Soni W/o Arun Soni Aged About 30 Years R/o Panchsheel Nagar, In Front Of Chandrashekhar School, Ward No. 1, Durg, Thana- City Kotwali, Durg, District Durg, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through- Sho, P.S.- Barela, District- Bemetara, Chhattisgarh

---- Respondent

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MCRC No. 2628 of 2020

1. Smt. Jayanti Tandi W/o Pandu Tandi Aged About 37 Years R/o- Raipur Naka, Rajiv Gandhi Nagar, Durg, Behind Pathan Basti, Ward No. 58, House No.- 566, Durg, District- Durg, Chhattisgarh
2. Smt. Hema Soni W/o Arun Soni Aged About 30 Years R/o Panchsheel Nagar, In Front Of Chandrashekhar School, Ward No. 1, Durg, Thana- City Kotwali, Durg, District Durg, Chhattisgarh

---- Petitioners

Versus

1. State Of Chhattisgarh Through- Sho, P.S.- Barela, District- Bemetara, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Yatharth Singh, Advocate.
For Respondent/State	:	Mr. Gagan Tiwari, Dy. Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

14/05/2020

1. The default pointed out by the Registry is waived.
2. These are the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No. 43/2019 in MCRC No.2644/2020 and Crime No.42/2019 in MCRC No.2628/2020, registered at Police Station-Barela, District – Bemetara(C.G.) for the offence punishable under Sections 419, 420, 467, 471, 120-B, 201 & 34 of the Indian Penal Code (for short 'IPC').
3. Learned counsel for the applicants submits that the applicant has innocent and falsely implicated in this case. Name of the applicants have not appeared in the FIR and they have arrayed as an accused later on. The accused is in jail since about more than one month and the charge-sheet has been filed. Hence, it is prayed that the applicants be granted regular bail.
4. Learned State counsel opposes the application and submissions made in this respect.
5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
6. According to the prosecution case, these applicants have impersonated as complainant for execution of the fraudulent sale-deed regarding which FIR has been lodged.
7. Considering that the investigation is now complete and the case is now pending for trial before the trial Court, therefore, I am of this view that this is a fit case where the application filed by the applicants can be allowed.

8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/-each with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nisha