

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 2605 of 2020**

1. Rajesh Kumar @ Raja S/o Batar Singh, Aged About 24 Years R/o Asrafgarh Police Station Jind Sadar, District Jind Sadar, Haryana
2. Raj Kumar S/o Prem Singh Aged About 33 Years R/o Gohan, Police Station Gohan, District Sonipath (H.R.), District : Sonipath, Haryana
3. Rajesh S/o Late Chandan Sanshi Aged About 35 Years R/o Village Dharamkaidi, Police Station Bans, District Hisar (H.R.), District : Hisar, Haryana
4. Tilak Raj S/o Jaswant Aged About 30 Years R/o Village Khairdih, Police Station Kalanor, District Rohtak (H.R.), District : Rohtak, Haryana

---- Applicants**Versus**

State Of Chhattisgarh Through - Police S H O Police Station Baikunthpur,
District Korea Chhattisgarh.

---- Respondent

For the Applicant : Shri Vijay Kumar Sahu, Advocate.
For the Respondent/State : Shri Sameer Sharma, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****14.05.2020**

The default pointed out by the Registry is waived.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.200 of 2019, registered at Police Station – Patna, Baikunthpur, District – Korea, Chhattisgarh for the offence punishable under Sections 420 and 419 of the Indian Penal Code and Sections 66C and 66D of the I.T. Act.
2. Learned counsel for the applicants submits that the applicants are in

jail since 19.1.2020 and have been falsely implicated in this case. The applicants and the complainant have compromised and according to the settlement, the applicants have made refund of the amount to the complainant. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. According to the prosecution case, the applicant and others made fraudulent withdrawal of the amount from the account of the complainant because of which, the FIR has been lodged.

6. Considering the facts and circumstances of the case that the case is pending for trial before the trial Court and also considering the fact that the applicants and the complainant have compromised, therefore, I feel inclined to grant bail to the applicants in this case.

7. Accordingly, the bail application filed under Section 439 of the 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 the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed. In case any default is committed by the

applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge