

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 550 of 2020

1. Smt. Nandni Chourasiya W/o Govind Chourasiya Aged About 37 Years Proprietor Of M/s Vyenkesh Hero Bilaspur, R/o- Near Mata Chowk, Kududand, Bilaspur, Police Station- Civil Lines, Tahsil And District Bilaspur, Chhattisgarh.
2. Govind Chourasiya S/o Bharat Kumar Chourasiya Aged About 40 Years Proprietor Of M/s Vyenkesh Hero Bilaspur, R/o- Near Mata Chowk, Kududand, Bilaspur, Police Station- Civil Lines, Tahsil And District Bilaspur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through Station House Officer Police Station Pamgarh, Tahsil- Pamgarh, District- Janjgir-Champa, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Ratnesh Kumar Agrawal, Advocate.
For Respondent/State	: Mr. Alok Nigam, G.A.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

24/06/2020

1. The matter is heard through Video Conferencing.
2. The applicants have filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as they are apprehending their arrest in connection with Crime No. 72/2020, registered at Police Station: Pamgarh, District: Janjgir-Champa (C.G.) for the offence punishable under Section 420, 467, 471, 120-B & 34 of IPC.
3. According to the case of prosecution, complainant namely G.S. Johar, proprietor of one Satguru Autos, made a written complaint on 06.03.2020 against the present Applicants, alleging therein that, Applicant No.01 is the owner of Venkatesh Hero and Applicant No.02 is the husband of Applicant No.01 who is the Director of the said firm. The complainant used to deal with vehicles and vehicle parts from the said firm. It is alleged that during the period between 2017-2020, the present Applicants by playing fraud in the work of dealership caused a damage of Rs.7,14,995/- to the complainant. On the basis of said, offence has been registered.

4. Learned counsel appearing on behalf of the applicants submits that the applicants have been falsely implicated in the present case due to some dispute in the dealership. He submits that the matter is of civil nature and in order to create pressure false and fabricated report has been lodged by the complainant, therefore, it is prayed that the Applicants may be granted benefit of anticipatory bail.
5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, arguments advanced by the counsel for the parties, particularly considering the nature of the case and allegations made by the complainant, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the Applicant.
8. Accordingly, this anticipatory bail application is allowed.
9. It is directed that in the event of arrest, 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 for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicants shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicants shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicants shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge