

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No.4056 of 2020**

- Ku. Khusbu Singh D/o Shri J.K. Singh Aged About 40 Years R/o Head Office, Navrang Kala Niketan, Police Station Utai, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- **Petitioner****Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Utai, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- **Respondent**

For Applicant	:	Shri T. K. Jha, Advocate
For Respondent/State	:	Shri Ravish Verma, GA
For Objector	:	Shri C. R. Sahu, Advocate

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****28/08/2020**

Heard.

1. The applicant has moved this application under Section 439 of the Cr.P.C. for grant of regular bail in connection with Crime No.153/2020 registered at Police Station Utai, District Durg for the offence punishable under Section 420/34 of the IPC. The applicant was arrested on 03-06-2020.
2. Prosecution case is that the present applicant dishonestly inducing the complainant Kanti Verma extracted Rs.5 Lac in the name of providing employment to her son, but no employment was provided nor money returned. Later on, again applicant and other co-accused extracted another Rs.20 Lakhs on the assurance that this amount could be invested against high return of amount of investment. Hence, in this manner, huge amount was extracted from the complainant by the applicant by cheating.
3. Learned counsel for the applicant submits that allegations against the applicant are false and fabricated. No such amount was given by the complainant to the applicant. He would submit that after completion of investigation, charge sheet has been filed on 31-07-2020, but there is no

evidence of documentary nature showing passing of money by the complainant to the applicant. He would also submit that the investigation is complete, charge sheet has been filed and the applicant being lady, is not in a position to abscond or tamper with the prosecution witnesses, therefore, at this stage, the applicant may be granted bail.

4. On the other hand, learned counsel for the State/non-applicant as well as learned counsel for the Objector opposes the bail application by submitting that in view of the clear statement given by the complainant, it is clear that the applicant received huge amount from the complainant in the name of providing employment as also in the name of investment. Learned counsel for the Objector would further submit that the applicant has engaged in this act of cheating not only from the complainant, but also from the large number of persons and thereby, she has amassed crores of rupees by cheating people in the society on such assurance.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the present case contains allegation of cheating and further taking into consideration that there is no documentary evidence of passing of money by the complainant in the hands of the accused and the fact that the investigation is complete, charge sheet has been filed and the applicant is not likely to abscond or tamper with the prosecution witnesses, the present is a fit case for grant of bail to the applicant.

6. Accordingly, the application is allowed. It is ordered that the applicant shall be released on bail on furnishing a personal bond of Rs.25,000/- along with one local surety of the like amount to the satisfaction of the trial Court on the condition that she shall appear before the trial Court regularly on each and every date of hearing, unless exempted.

Certified copy as per rules.

SD/-
(**Manindra Mohan Shrivastava**)
Judge