

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7126 of 2019

- Pramod Chauhan S/o Shri Mohiram Chauhan Aged About 36 Years
R/o Village Jharu, Post Bakhhol, Tahsil Kotkhai, District Shimla,
Himanchal Pradesh., District : Shimla, Himachal Pradesh

---- Applicant

Versus

- The State Of Chhattisgarh Through Station House Officer Of Police
Station City Kotwali, Raipur, District Raipur, Chhattisgarh., District :
Raipur, Chhattisgarh

---- Respondent

For Applicant : Shri Shailendra Dubey, Advocate
For Objector : Shri Maneesh Sharma, Advocate
For Respondent/State : Shri Akhtar Hussain, Panel Lawyer

Hon'ble Smt. Justice Rajani Dubey
Order On Board

13.1.2020

1. Heard.
2. This is the first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.455/2019, registered at Police Station City Kotwali, Raipur(CG) for the offence punishable under Section 420 of the IPC.
3. As per the case of prosecution, the complainant and the applicant are in business transactions and they are fruit sellers and entered into an agreement for the sale of apples. In consonance of the same, the complainant supplied the fruits, but the applicant did not make payment and when the complainant submit a cheque for clearance, it was

disnoured due to insufficient amount. A report was lodged and the applicant has been arrested.

4. Learned counsel for the applicant submits that the applicant has not committed any offence and he has been falsely implicated in the case. He submits that the offence is triable by Magistrate First Class and in a business transaction, on account of some misunderstanding, the report has been lodged against the applicant. He further submits that the applicant is in jail since 4.10.2019 and trial may take some time for its final disposal therefore, the applicant may be released on bail.
5. On the other hand, learned counsel for the State as well as learned counsel for the Objector oppose the bail application. Learned counsel for the Objector submits that it is a case of deal of Rs.50657153/- and the cheque has also been dishonored which shows the intention of the applicant.
6. Perused the entire material available on record.
7. Considering the facts and circumstances of the case, in particular the nature of allegations against the applicant and the offence is triable by Magistrate First Class, I am of the opinion that present is a fit case to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
9. It is directed that the applicant shall be released on bail on his furnishing a personal bond in sum of Rs.5,00,000/-(Rs. Five

Lacs) with one local surety in like sum to the satisfaction of the concerned trial Court for his appearance before the said Court as and when directed till the disposal of the trial.

10. Certified copy as per rules.

Sd/

(Rajani Dubey)
JUDGE

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