

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case (A) No.516 of 2021

Rajeev Verma @ Raju, S/o Late Janardan Prasad Verma, Aged 50 years,  
Occu- Service, R/o Village Lakhanpur, P.S. & Tehsil Lakhanpur, District  
Surguja (C.G.)

---- Applicant

Versus

State of Chhattisgarh, Through Station House Officer, P.S. Kotwali,  
Ambikapur, District Surguja (C.G.)

---- Non-applicant

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For Applicant: Mr. Shakti Raj Sinha, Advocate.  
For Non-applicant: Mr. H.S. Ahluwalia, Deputy Advocate General.  
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Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

21/05/2021

1. Proceedings of this matter have been taken-up through video conferencing.
2. Apprehending arrest in connection with Crime No.80/2021, registered at Police Station Kotwali, Ambikapur, Distt. Surguja, for the offence punishable under Sections 419, 420, 467, 468 and 471 of the IPC, the applicant has filed this application under Section 438 of the CrPC for grant of anticipatory bail.
3. Case of the prosecution, in brief, is that the applicant after having been terminated from Aadim Jati Seva Sahkari Samiti Maryadit, Kunni, got a forged letter of the Minister presented before the Sub-Registrar, Co-operative Societies, Ambikapur, Distt. Surguja on 18-1-2021 and thereby committed the offence.
4. Learned counsel for the applicant submits that though the applicant was terminated on 29-10-2020, but thereafter, he has been reinstated

by the Samiti on 15-12-2020 and thereafter, he has joined on 22-12-2020 and thereafter, he has been given the charge of the Bank and he has also been authorised on 24-12-2020 to perform all transactions of the Samiti and on 8-1-2020, the Chief Executive Officer, Zila Sahkari Kendriya Bank, Ambikapur has also directed for issuance of OTP in the name of the applicant. Learned counsel further submits that the applicant has also made complaint against complainants Shailendra Pratap Singh and Yogendra Prasad Singh to the police on 13-1-2021 and as such, there is no occasion for the applicant to file forged document of the Minister after his reinstatement and joining. He also submits that the applicant has not committed any offence and he has been falsely implicated in the case, he has lost his father in December, 2020 and on account of COVID-19, he has lost his two uncles in April, 2021 and there is no member in his family to look-after his aunt and other family members, and on account of apprehension of arrest, he could not participate in the last rites of his uncles.

5. On the other hand, learned State counsel opposes the application and submits that the applicant is instrumental in submitting forged document in the name of Minister on 18-1-2021 before the Sub-Registrar.
6. I have heard learned counsel for the parties and considered their rival submissions made herein-above and also went through the record with utmost circumspection.
7. It is admitted fact that the applicant was terminated from service on 29-10-2020 and thereafter, after petition filed before the High Court, he was relegated to the co-operative court and ultimately, the Co-operative Society, on 15-12-2020 directed that the applicant be taken back to service on which the applicant has taken charge on 22-12-

2020 and ultimately, he was also given the charge of Bank and he has also been authorised on 24-12-2020 to perform all transactions of the Samiti and on 8-1-2020, the Chief Executive Officer, Zila Sahkari Kendriya Bank, Ambikapur has also directed for issuance of OTP in the name of the applicant, whereas the forged letter is said to have been presented on 18-1-2021 directing to give charge to the applicant on the post of the Samiti Prabandhak, whereas the applicant has already been given charge on 22-12-2020.

8. Taking into consideration nature and gravity of offence and facts and circumstances of the case, I am of the opinion that it is a fit case in which the applicant should be granted the privilege of anticipatory bail. Accordingly, the application is allowed.
9. It is, therefore, directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned investigating / arresting officer. The applicant shall also abide by the following conditions: -
  1. He shall make himself available for interrogation before the concerned arresting / investigating officer as and when required.
  2. He 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.
  3. He shall not act, in any manner, which will be prejudicial to fair and expeditious trial.
  4. He shall also appear before the trial Court on each and every

date given to him by the said Court till disposal of the trial.

10. Consequently, application for urgent hearing and application for hearing during summer vacation, stand disposed of.

Sd/-  
(Sanjay K. Agrawal)  
Vacation Judge

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