

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC (A) No. 811 of 2021

Jeevmangal Singh Tandan S/o Karan Lal Tandan, Aged About 45 Years, Present R/o - Yug Kumar Kosariya House, House No.108 Kota Colony, Raipur, Permant Resident of - village Tulsi, Post Misda, Tahsil Shivrinarayan, Police Station -Nawagarh, District Janjgir – Champa, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through - Police Station Saraswati Nagar, District -Raipur Chhattisgarh.

--- Respondent

For Applicant	: Ms. Renu Kochar, Advocate.
For Respondent-State	: Mr. Roshan Dubey, PL.

(Proceedings through video conferencing)
Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

29/07/2021

Heard.

1. Applicant has filed this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.89/2021 registered at Police Station –Saraswati Nagar, Distt -Raipur, (CG), for the offence punishable under Section 420 of Indian Penal Code.
2. Case of the prosecution, in brief, is that complainant has lodged a report on 29.05.2021 mentioning therein that applicant on the pretext of providing a job in South Eastern Coalfields Limited (SECL) has taken Rs.3.5 lacs and after obtaining said amount, he executed an agreement in this regard. When even after lapse of much time, complainant could not get any job in SECL, he raised demand for return of his money, upon which, applicant has given a cheque of Rs.50,000/- and stated that he will return the balance amount after some time, but he did not return the entire amount. Based on complaint, instant crime was registered against applicant.
3. Learned counsel for the applicant submits that applicant has taken a hand loan of Rs.3.5 lacs from complainant of which, he has also paid some amount towards interest, he is ready to pay remaining amount with interest. Nature of dispute is civil of nature but only to harass and pressurize applicant, FIR has

been registered against him. The allegations are absolutely false and baseless, hence, applicant may be extended benefit under Section 438 of Cr.P.C.

4. On the other hand, learned State Counsel opposes the submissions made by learned counsel for applicant and submits that applicant has not only taken money from complainant on the pretext of providing job in SECL but also took money from number of other unemployed persons. Applicant has also issued cheque of different amount to different persons for return of their money. Complainant was deceived from inception. Hence, applicant may not be released on anticipatory bail. Learned counsel also read over the contents of FIR as well as statement of applicant recorded under Section 161 of Cr.P.C in support of his contention.
5. Heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, nature of allegation levelled against present applicant that on the pretext of providing job he received huge amount from number of unemployed persons, I do not find it a fit case to release applicant on anticipatory bail.
7. Accordingly, bail application is rejected.

Sd/-

(Parth Prateem Sahu)
Judge

Jamal/-