

HIGH COURT OF CHHATTISGARH AT BILASPUR**M.Cr.C.(A) No. 867 /2021**

Rohit Sachdev, S/o. Mahesh Sachdev, Aged About 29 Years, R/o. C/204, First Floor, Jailaxmi Complex, Main Road Fafadih, Thana Ganj, Raipur Tahsil & District Raipur Chhattisgarh

---- Applicant**Versus**

State Of Chhattisgarh, Through Police Station Pandari, District Raipur Chhattisgarh

---- Respondent

For Applicant : Mr. Raj Kumar Gupta, Advocate
For Respondent : Mr. Aditya Bhardwaj, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****09.08.2021**

1. Apprehending arrest in connection with Crime No.199/2014 registered at Police Station- Pandari, Distt. Raipur (C.G.) for the offence punishable under Section 386/34 of I.P.C., the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. This is the third anticipatory bail application. The first anticipatory bail application was dismissed on 11.12.2015 in MCRCA No.1170 of 2015 on the ground that the applicant is absconding and the second anticipatory bail application was dismissed as withdrawn on 14.12.2015 in MCRCA No.1179 of 2015.
3. As per the prosecution case, it is alleged that a report was made alleging that on 23.12.2013, the applicants entered into some business relation with one Pawan Agrawal & others for transaction of business of Rs.10.00 crores, and out of that the applicants were paid about Rs.8.50 crores and Rs.1.50 crores was remaining.

Subsequently, the applicants, Mahesh Sachdev, Rahul Sachdev and Rohit Sachdev for Page No.2 recovery of Rs.1.50 crores awarded the contract to one Karun Ben @ Munna, Sabbir Ahmad and Deepak Jatav and in order to recover the amount and the complainant were taken Daldal Shivni and were pressurized. Out of the contract for such extortion an amount of Rs.8.00 lakhs was given to one Munna, and Rs.24,000/- to one Kabir Ahmad, the Advocate. Further in pursuant to such mode of recovery, counsel, Kabir Ahmad abused and extended treat to the complainants. So undue illegal act was committed by the applicants alongwith other co-accused, therefore, the report was made.

4. Learned counsel for the applicant would submit that subsequently the trial was commenced against on Mahesh Sachdev and he has been acquitted from the charges on merit and no case is made out against the present applicant, therefore, he may be given the benefit of anticipatory bail.
5. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail and submits that the earlier bail application was dismissed on merit and till date the applicant is absconding.
6. Considering the fact that the earlier anticipatory bail application has been rejected on merit, I do not find any change of circumstances to reconsider the same only for the reason that two of the accused have been acquitted. Accordingly, the third anticipatory bail application is rejected.

Ashok

Sd/-
(Goutam Bhaduri)
Judge