

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.1390 of 2020

Prem Singh S/o Rajendra Singh Aged About 30 Years R/o Near New Shiv
Mandir, Ward No. 10, Kumhari P. S. Kumhari, District Durg Chhattisgarh,
District : Durg, Chhattisgarh **---- Applicant**

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Kumhari, District Durg Chhattisgarh **---- Respondent**

For Applicant	:	Mr. Anurag Jha and Mr. B.P. Singh, Advocates
For Respondent/State	:	Mr. Amit Verma, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order

12/03/2021

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.22/2020 registered at Police Station – Kumhari, District Durg (C.G.) for alleged commission of offence under Section 384 of IPC.
2. Prosecution case is that while the victim complainant was sitting in a *dhaba*, the applicant came in, projected himself as police officer and extorted Rs.4,000/- by taking mobile and transferring the amount in his account through mobile.
3. Learned counsel for the applicant would submit that he has been falsely implicated. He would submit that the complainant had borrowed loan of Rs.2 lacs from the present applicant which is prima facie supported from the agreement in original filed before this Court supported by witnesses. When three months of the period within which the amount was to be returned was coming close to expiry, a false story has been framed by the complainant that the applicant extorted money from the complainant.
4. On the other hand, learned counsel opposes the prayer and submits that from the case diary it is revealed that against the applicant, other offences are also registered and transfer of money from the mobile of the complainant in the account of the accused prima facie makes out a case of extortion.

5. The applicant has relied upon an agreement which has been filed before this Court in original. However, this is being seriously disputed by the complainant and according to the complainant, he never executed any such document and he does not even know the present applicant. Investigation is going on. Therefore, at this stage, on the basis of said agreement, bail cannot be granted. However, if in course of investigation, the original agreement is sent for handwriting expert, if occasion so arises, the applicant may renew the bail application.

6. The bail application is rejected.

7. Original copy of agreement be returned to the counsel for the applicant.

Sd/-
(Manindra Mohan Shrivastava)
Judge