

**NAFR****HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC (A) No. 1088 of 2021**

- Smt. Neeta Garg W/o Late Anant Garg Aged About 58 Years  
R/o Vishrampur, P.S.- Vishrampur, District- Surajpur,  
Chhattisgarh.

**---- Applicant*****Versus***

- State Of Chhattisgarh Through The Station House Officer,  
Police Station- Gandhinagar, Ambikapur, District- Sarguja,  
Chhattisgarh.

**---- Respondent**

For Applicant : Ms. Sangeeta Soni, Advocate  
For respondent/State : Mr. BP Banjare, Dy. Govt. Advocate

**Hon'ble Shri Justice N.K. Chandravanshi****Order On Board****22.11.2021.**

1. The applicant has preferred this bail application under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the CrPC') for grant of anticipatory bail as she apprehends her arrest in connection with Crime No.496/2020 registered at Police Station Gandhinagar, Ambikapur (CG) for the offence punishable under Sections 420 and 120B of the Indian Penal Code.

2. Brief facts of the case are that there was a dispute between complainant Jagriti Mishra, wife of late Abhishek Garg and her mother-in-law Smt. Neeta Garg, who is the present applicant, regarding ownership of truck bearing registration No.CG 15 SC 9828, owned by Late Abhishek Garg. On a written complaint filed by complainant Jagriti Mishra, present crime was

registered against the applicant under Sections 420 and 120B of the IPC as the applicant has sold the said truck despite stay granted by the High Court on 20.11.2020 passed in WPC No.2693 of 2020, thereby the applicant committed cheating.

3. Learned counsel for the applicant submits that the applicant has not committed the alleged crime, she has been falsely implicated in this case. She would next submit that since there was a family dispute regarding ownership of the truck after the death of son of the applicant, present crime has been registered. She further submits that present case is of a civil nature, hence the applicant may be enlarged on anticipatory bail.

4. On the other hand, learned counsel for the State opposes the application for grant of anticipatory bail.

5. I have heard learned counsel for both parties, perused the case diary and the material available on record.

6. Considering the facts and circumstances of the case, nature and gravity of offence, also taking into consideration that actually it is a dispute of ownership of truck bearing registration No.CG 15 SC 9828 and the same is of civil nature, I feel inclined to grant anticipatory bail to the applicant.

7. Accordingly, the anticipatory bail application is allowed and it is ordered that in the event of arrest of the applicant in connection with aforesaid offence, she shall be released on anticipatory bail by the officer arresting her on her executing a personal bond or Rs.25,000/- with one surety of the like sum to

the satisfaction of the officer arresting her. The applicant shall also abide by the following conditions:-

- (i) that she shall make herself available for interrogation before the investigation officer as and when required;
- (ii) that she 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 any police officer.
- (iii) that she shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

**Sd/-**

**(N.K. Chandravanshi)**  
**JUDGE**