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HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C (A). No. 1156 of 2021

Narottam Sonkar S/o Bhuvan Lal Sonkar, Aged About 52 Years, R/o House No. 589, Ward No. 63, Durga Chowk, Bhatagaon, PO Sundar Nagar, District Raipur, Chhattisgarh

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station -Purani Basti, Raipur, District : Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Praveen Soni, Advocate with Smt. Shital Soni, Advocate.
For State	: Ms. A.S. Chauhan, PL.

Hon'ble Shri Parth Prateem Sahu, J
Order on Board

28/09/2021

1. Applicant has filed this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.180/2021 registered at Police Station –Purani Basti, Raipur, (CG), for the offence punishable under Section 292(C) & (F) of Chhattisgarh Municipal Corporation Act, 1956, (for short, 'Act of 1956').
2. Case of the prosecution, in brief, is that applicant owner of land bearing Khasra No.1390/1 & 1394/1 measuring area about 0.183 & 0.301 hectares has sold the land by illegal plotting and without taking approval from the Competent Authority of Municipal Corporation. Based on report lodged by Assistant Engineer of Municipal Corporation, aforementioned crime is registered against applicant.
3. Learned counsel for the applicant submits that except written complaint there is no mention as to how many persons the plots was sold, there is no material to connect the applicant in the alleged offence. Applicant is illiterate person resident of village Bhatagaon, he has not committed any

offence as alleged against him. Hence, he may be enlarged on anticipatory bail.

4. Learned State Counsel opposes the submissions made by learned counsel for applicant and submits that crime is registered against applicant based on complaint of Assistant Engineer. Applicant who is having immovable agriculture property has sold it to different persons by illegal plotting which is an offence under the Act of 1956. However, on putting a specific query to learned State Counsel as to how many plots have been sold by applicant, she submits that it is not mentioned in complaint nor available in case diary.
5. Heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, nature of allegations, submissions made by learned counsel for the parties, the fact that there is no mention of numbers of plots sold by applicant in case diary, without commenting anything on merits of the case, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the crime in question, she shall be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Arresting Officer. The applicant shall also abide by the following conditions :
 - (i) that applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that applicant 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;

(iii) that applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) that applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Sd/-
(Parth Prateem Sahu)
Judge

Jamal/-

HIGH COURT OF CHHATTISGARH, BILASPUR
Order Sheet

MCRC (A) No. 1156 of 2021

Narottam Sonkar **Versus** State of Chhattisgarh

28.09.2021	Shri Praveen Soni, Advocate with Smt. Shital Soni, Advocate for the applicant. Ms. A.S. Chauhan, PL for the State. Learned counsel for the applicant submits that in cause title of bail application offence registered against applicant is under Section 292(C) of Chhattisgarh Municipal Corporation Act, 1956 based on impugned order. But subsequently it revealed that offence under Section 292 (F) of the Act of 1956 is also registered against applicant. Hence, he prays that he may be permitted to corrected it and add the offence under Section 292 (F) in bail application. Learned State Counsel upon going through the case diary, submits that offence under Section 292(C) & (F) of the Act of 1956 is registered against applicant. Considering the submissions of learned counsel for the parties, counsel for the applicant is permitted to make necessary correction in bail application during the course of the day. Sd/- (Parth Prateem Sahu) Judge

Jamal/-