CGHC010386932026 2026:CGHC:43019

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1624 of 2026

Pushpendra Bhusakhare S/o Puhup Singh Aged About 49 Years R/o- Quarter No. 05/a, Road- 44, Sector- 10, Bhilai, District- Durg (C.G.)

... Applicant

versus

ALFIZA BAIG
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Date: 2026.10.06 17:37:04 +0530

The State Of Chhattisgarh Through Police Station- Mohan Nagar, District- Durg (C.G.) (Wrongly Mentioned As The District Magistrate, Durg In The Impugned Order)

... Respondent

For Applicant	:	Mr. D.K. Gwalre, Advocate
For Respondent-State	:	Ms. Sunita Manikpuri, Govt. Advocate

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

05.10.2026

1. Applicant has preferred this application under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 88/2025 registered at Police Station- Mohan Nagar, District- Durg (C.G.) for the offence punishable under Section 318(4) and 3(5) of the BNS, 2023.

2. Case of prosecution, in brief, is that the complainant, Pravin Kumar Jain, submitted a written report to Mohan Nagar Police Station alleging that on January 10, 2023, Pushpendra Singh met him in Dipak Nagar

and informed him that Joya Enterprises required a transporter. When he expressed his interest, Pushpendra Singh arranged a meeting with Rajesh Dua, CEO of Joya Enterprises. Rajesh Dua called him to a meeting at Sayaji Hotel, Raipur, where he claimed that his company had secured a tender from Adani Group for transporting and loading 1 lakh tons of coal per day from Bijhari Coal Mines, Raigarh, Chhattisgarh, at a rate of Rs.42 per ton. Rajesh Dua offered to give him the work on a commission basis, requiring 5% commission on the bill amount, with 1% to be paid in advance and the remaining 4% after the bill clearance. The complainant agreed, and Rajesh Dua asked him to meet Dharmesh Kotak, General Manager of the company, at SK Care Hospital, Pachpedi Naka, Raipur. At the hospital, he met Dharmesh Kotak, Gurmeet Oberoi (the applicant), and Saurabh Tiwari, who demanded half a percent commission to be transferred to the company's account through RTGS. The complainant transferred Rs.50,00,000. Later, Pushpendra Singh demanded another 2% commission, threatening to cancel the tender if not paid. The complainant then transferred Rs.23,60,000 to Kotak Mahindra Bank account of Hospitality Partner. After discovering that Joya Enterprises had not received any work, the complainant contacted Rajesh Dua, who sent an email stating that his work order had been canceled. The complainant alleged that Rajesh Dua, Gurmeet Oberoi, Dharmesh Kotak, Saurabh Tiwari and Pushpendra Singh had conspired to cheat him and misappropriate Rs. 73,60,000/-. Based on the complainant’s report the Mohan Nagar Police registered a case under Section 318(4) and 3(5) of the BNS, 2023.

3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in the crime. He has not committed any offence as alleged. He further submits that allegation against the applicant is that when he met with complainant and informed him that Joya Enterprises is in need of transporter, he further made arrangement of meeting with Rajesh Dua and CEO of Joya Enterprises. After meeting with Rajesh Dua and understanding everything, complainant has transferred Rs. 50,00,000/- in account of Joya Enterprises and thereafter, had transferred Rs. 23,00,000/- in the account of Gurmeet Oberoi. Gurmeet Oberoi has been enlarged on bail vide MCRCA No. 794 of 2025 vide order dated 27.06.2025 on the ground that he has refunded a sum of Rs. 23,60,000/- to the complainant through a demand draft. He further submits that complainant is not a beneficiary and no amount has been transferred in his account. There is no criminal antecedent registered against him. He lastly submits that there is a stay on the arrest of co-accused Rajesh Dua in CrMP NO. 2142 of 2023. Hence the present applicant be enlarged on bail.

4. On the other hand, learned State counsel opposes the submission of counsel for applicant and would submit that applicant has instrumentally arranged the meeting of complainant Rajesh Dua. He however submits that according to material available in the case diary there is no transfer of amount in the account of applicant. She also submits that there in no criminal antecedent registered against the present applicant.

5. I have heard learned counsel for the respective parties.

6. On due consideration of the facts and circumstances of the case, nature of allegation, submission of learned counsel for the parties,

without commenting anything on merits, I am inclined to allow this anticipatory bail application.

7. Accordingly, application is **allowed** and it is directed that in the event of arrest of applicant in connection with the crime in question, he shall be released on anticipatory bail by the Officer arresting him on his executing a personal bond in the sum of ₹25,000/- with one surety in the like sum to the satisfaction of the concerned arresting Officer. Applicant shall also abide by the following conditions:

> (i)that the applicant shall make himself available for interrogation before the Investigation Officer as and when required;
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> (ii)that the 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 the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
>
> (iv)that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Certified copy as per rules.

Sd/-

(Parth Prateem Sahu)
JUDGE

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