CGHC010417692026 2026:CGHC:45569

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1766 of 2026

Vikram Singh Shah S/o Late Harbhajan Singh, Aged About 36 Years R/o. Sai Dreem City, Amlidih, New Rajendra Nagar, Raipur (C.G.) (As Per Correct Details)

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station -City Kotwali, District Dhamtari (C.G.)

... Respondent

For Applicant	:	Mr. Sachin Nidhi, Advocate appears along with Mr. Aishwary Diwan, Advocate and Mr. Avinash Sahu, Advocate
For Respondent-State	:	Mr. H.A.P.S Bhatia, Govt. Advocate

ALFIZA BAIG
Digitally signed by ALFIZA BAIG
Date: 2026.10.29 14:21:48 +0530

Hon'ble Shri Parth Prateem Sahu, Judge

ORDER ON BOARD

28.10.2026

1. Applicant has preferred this second bail 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. 214/2026 registered at Police Station- City Kotwali, Dhamtari (C.G.) for the offence punishable under Section 420 of Indian Penal Code. First bail application of the present applicant was dismissed as withdrawn vide order dated 12.10.2026 in MCRCA No. 1692 of 2026.

2. Case of prosecution, in brief, is that complainant Shiv Kumar Sahu lodged a written complaint against the present applicant stating that the applicant took a total sum of Rs. 25,00,000/- (Twenty Five Lakhs) in parts, some in cash and remaining through RTGS by luring him to invest his money in share market and trading apps promising him that he will pay 4% interest per month to him. Based upon which agreement for the next two years was prepared and cheque in favor of complainant was signed. Complainant received the interest for next six months. However, after six months applicant stated that his account has been freezed. In a meeting held by all the investors, applicant promised them that he will return the money taken within two months,however, till now he has not returned the said amount nor he is picking up anyone's call. On the basis of the aforementioned crime, FIR was lodged against the applicant on 06.09.2026.

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 applicant has accepted the money from various investors for investing it in share market. The amount has been paid by complainant through Kailash Sinha and some amount has been returned back to complainant through Chetan Kumar. Kailash Sinha and present applicant are relatives. He further submits that approximately two crore rupees have been returned back till now. Applicant has also enclosed the documents showing investment in the share market vide Annexure A-5. He lastly submits that there is delay of about 02 years in lodging of the FIR. Hence, applicant may be granted the benefit of anticipatory bail.

4. On the other hand, learned State counsel opposes the submission of counsel for applicant and would submit that according to the FIR made by complainant he has invested a sum of Rs. 25 Lakhs. When the complainant has asked for the same to return back, he asked for two months but till now has not returned. He submits that it is appearing from the FIR that the complainant has transferred some amount through RTGS in the account of applicant on 18.04.2024. When the complainant asked for the same to return back, applicant has provided a cheque bearing no. 347764 of an amount of Rs. 10,00,000/- mentioning the date of about 02 years. As per allegation applicant use to pay a sum of Rs. 48,000/- per month which he paid of only six to seven months and thereafter stopped. He also submits that applicant has collected the amount from seven to eight persons which amounted to Rs. 3.12 Cr., approximately.

5. When the question was put to learned counsel for the applicant about the handling over the cheque of Rs. 10,00,000/-, he submits that according to the instructions statement made by complainant FIR used to be correct but was towards the security.

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

7. With regard to the delay in lodging of complaint, it is observed that in such cases the report is lodged only when the complainant have exhausted the relief of making request from the person who has procured the amount fraudulently.

8. Taking into consideration the facts and circumstances of the case, nature of allegation, submission made by learned counsel for the parties and also looking to the manner in which the amount procured by the

applicant to invest in share market and further the said amount has not been paid when the demand is made, I do not find present case fit to be allowed, accordingly it is **dismissed.**

9. Office is directed to send a certified copy of this order to the concerned Court for necessary information.

Certified copy as per rules.

SD/-

(Parth Prateem Sahu)
JUDGE

Alfiza