HARNEET KAUR

Digitally signed by HARNEET KAUR
Date: 2026.11.05 11:21:44 +0530

CGHC010438462026 2026:CGHC:46730

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10693 of 2026

1 - Rajat Tomar S/o Dinesh Tomar Aged About 32 Years R/o Village Soup Police Station Ramaala District Bagpat Uttar Pradesh Presently Residing At Shivaji Nagr Khursipar Bhilai District Durg Chhattisgarh Wrongly Mentioned In Ordersheet As Rajat Tomar S/o Dinesh Tomar Aged About 37 Years Resident Of Village Soop Bagpat Uttarpradesh

--- **Applicant**

versus

1 - State Of Chhattisgarh Through Station House Officer, Police Station Civil Lines, District Bilaspur, C.G.

--- **Non-applicant**

For Applicant	:	Mr. Arjit Tiwari, Advocate
For Non-applicant /State	:	Mr. Keshav Gupta, G.A.
For Objector/ Complainant	:	Mr. Wasim Miyan, Advocate

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

04/11/2026

1. The applicant has preferred this first bail application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail as he has been arrested in connection with Crime No. 613/2026 registered at Police Station Civil Lines, District Bilaspur (C.G.) for the offence punishable under Sections 318(4), 61(2), 317(4) and 3(5) of BNS and Section 66(D) of the Information Technology Act.

2. Case of the prosecution, in brief, is that complainant came to know about the advertisement related to stock trading and when she clicked on the site, she was redirected to a whatsapp ground containing 139 members. Thereafter, complainant joined the Sarthi Plan to invest in stock trading through the application FINSOL and the complainant, on her own will, invested a total sum of Rs. 17,21,100/- via NEFT, IMPS and RTGS. When the complainant asked for refund of the invested amount and when no heed was paid, she lodged an FIR against co-accused persons namely Sandeep Chandra, Mukesh Kumar Das and Sourabh Rathore. The said co-accused persons were apprehended and on the strength of their memorandum statements, the present applicant namely Rajat Tomar and other co-accused persons namely Keshav Sao and Shishir Rathore were implicated in the case.

3. Mr. Arjit Tiwari, learned counsel appearing for the applicant, would submit that the applicant is innocent and has falsely been implicated in the present case. The applicant never induced the complainant to invest in stock trading and she, on her own will, invested a total sum of Rs. 17,21,100/-. He would further contend that police recovered a sum of Rs. 8,81,852/- from 450 bank accounts and the said amount has already been refunded to her and apart from that, complainant has been refunded a sum of Rs. 3,90,000/- through supurdnama by the concerned trial Court in MJC/872/2026. Moreover, the present applicant along with three other co-accused persons have refunded Rs. 1,80,000/- each to the complainant though bank drafts. He would lastly submit that there are no previous criminal antecedents of the applicant, charge-sheet has already been filed, the applicant is in jail since 01/06/2026 and since conclusion of trial is likely to take considerable time, the present applicant may be released on bail.

4. On the other hand, Mr. Keshav Gupta, learned counsel appearing for the non-applicant/State, would oppose the bail application and submit that the applicant along with other co-accused persons cheated the complainant and grabbed a sum of Rs. 17,21,100/-. He would further contend that as there are serious allegations of committing fraud against the present applicant and the co-accused persons, therefore, this bail application is liable to be rejected.

5. Mr. Wasim Miyan, learned counsel appearing for the objector/complainant, would oppose the submission advanced by learned counsel for the applicant. He would fairly endorse the submission that complainant has already been refunded a sum of Rs. 3,90,000/- through supurdnama by the concerned trial Court and the present applicant along with three other co-accused persons have already refunded a sum of Rs. 1,80,000/- each to the complainant though bank drafts.

6. I have heard learned counsel for the parties and perused the case diary.

7. Having considered the fact that charge-sheet has already been filed, there are no previous criminal antecedents of the applicant, the present applicant along with three co-accused persons have each refunded a sum of Rs. 1,80,000/- to the complainant by bank drafts and the complainant has further secured a refund of Rs. 3,90,000/- from the concerned trial Court, further considering that the applicant is in jail since 01/06/2026 and the conclusion of trial is likely to take considerable time, without commenting on the merits of the matter, this Court is inclined to enlarge the applicant on regular bail. Accordingly, the bail application is **allowed**.

8. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs.50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

(i) he 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 from disclosing such fact to the Court,

(ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

(iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

9. The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

(Rakesh Mohan Pandey)

JUDGE

Harneet