

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 6731 of 2022**

- Arun Verma S/o Anil Verma, Aged About 31 Years, R/o Near R.A. Girls School, Raj Mohalla, Old Chowk, Police Station- Civil Lines, District Sonipat, Haryana, Pin 131001

**---- Petitioner****Versus**

- State Of Chhattisgarh Through The District Magistrate, District : Raipur, Chhattisgarh

**---- Respondent**

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For Applicant  
For Respondent /State

Mr. Vikas Pradhan, Advocate  
Mr. Lalit Jangde, Dy. GA

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**SB.: Hon'ble Mr. Justice Deepak Kumar Tiwari****Order On Board**  
**24/11/2022**

1. This is the second application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.247/2021 registered at Police Station Deendayal Nagar, Raipur, District Raipur (CG) for the offence punishable under Section 420 of the IPC and Section 66(D) of the Information Technology Act.
2. The earlier bail application was dismissed on merits vide order dated 7.2.2022 passed in MCRC No.9213 of 2021 with liberty to

the applicant that he may negotiate with the complainant for about 50% of the amount cheated and if the negotiation is settled, then the applicant may revive the bail application.

3. Prosecution case, in brief, is that the applicant along with co-accused persons cheated the complainant through forged call and obtained money amounting to Rs.29,90,378/-.
4. Learned counsel for the applicant would submit that the applicant is innocent and has been falsely implicated in the case. He would further submit that a compromise has been arrived between the applicant and complainant Ashok Sharda and before the trial Court, the applicant has also preferred an application for compounding the offence, though such application has been dismissed, against which, the applicant has moved Criminal Revision No.361/2022 before the Additional Sessions Judge, Raipur, in which, vide order dated 14.10.2022, such revision has also been dismissed. Learned counsel for the applicant submit that the applicant has also transferred Rs.1,77,000/- in the account of the complainant. The applicant is in jail since 21.8.2021 and the offence is triable by the Judicial Magistrate First Class, therefore, looking to the pre-trial detention of the applicant, he may be enlarged on bail.
5. On the other hand, learned counsel for the State opposes the bail application. He would submit that some of the accused persons are still absconding. Considering the nature of the accusation, the applicant may not be enlarged on bail.

6. Having considered the submissions of learned counsel for the parties and that the applicant has entered into compromise with the complainant and had also moved an application to compound the offence before the concerned Judicial Magistrate First Class, though the said application has been dismissed and further looking to the pre-trial detention of the applicant and that the conclusion of trial is likely to take some more time, I am inclined to release the applicant on regular bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.2 lacs with two sureties of Rs.2 lacs each in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
8. Certified copy as per rules.

Sd/-

**( Deepak Kumar Tiwari )**  
Judge

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