

Akshay Deshmukh Vs State Of Chhattisgarh

Court: Chhattisgarh High Court

Date of Decision: Dec. 19, 2018

Acts Referred: Code Of Criminal Procedure, 1973 â€” Section 439

Indian Penal Code, 1860 â€” Section 420

Information Technology Act, 2000 â€” Section 66

Hon'ble Judges: Gautam Chourdiya, J

Bench: Single Bench

Advocate: V. K. Deshmukh, Neeraj Sharma

Final Decision: Allowed

Judgement

Gautam Chourdiya, J

1. This is the first bail 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. 820/2018, registered at Police Station- Supela, District Durg (C.G.) for the offence punishable under Section

420 of IPC and Section 66 IT Act.

2. As per the prosecution story, it is alleged that complainant Ravindranath Ramteke filed a written complaint before the Police Station- Supela, Durg,

against the present applicant, the complainant has stated that he has doubt that applicant committed offence U/s 420 IPC and 66 IT Act because his

mobile phone regularly operated by accused, when accused was coming complainant's home therefore, he transferred sum of Rs. 42, 400/- by PayTM

App of mobile. Hence offence has been registered against this present applicant. After completion of Page No.2 investigation, charge-sheet has been

filed.

3. Learned counsel for the applicant submits that the applicant has falsely been implicated in this case. The applicant is ready to deposit the amount

withdrawn from PayTM of Rs. 42,400/- which may be disbursed to the complainant- Ravindranath Ramteke. He submits that the applicant has no any

previous criminal record. Applicant is willing to abide by all the conditions and direction, which may be imposed on him while granting bail. Hence, it is

prayed that applicant may be enlarged on bail.

4. Learned State counsel opposes the bail application and submissions

5. Heard both the parties and perused the case diary.

6. Considering the facts and circumstance of the case, it is directed that the applicant shall be released on bail of his depositing of Rs. 42,400/- before

the concerned trial Court and furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned

trial Court, for his appearance as and when directed.

7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.