



2026:CGHC:3368



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 10004 of 2025

P. Vijay Kumar S/o P. Ravi Kumar Aged About 35 Years R/o E/601, New Deendayal Colony, Khamariya, Junwani, Bhilai, Police Station - Smriti Nagar, District - Durg Chhattisgarh

... Applicant

versus

State Of Chhattisgarh Through The S H O - Somni Rajnandgaon, District - Rajnandgaon Chhattisgarh

... Respondent(s)

For Applicant : Mr. Avinash Chand Sahu, Advocate

For Respondent(s) : Ms. Vaishali Mahilong, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

20/01/2026

1. The applicant had preferred this First Bail Application under Section 483 of BNSS, 2023 for grant of regular bail, as he has been arrested in connection with Crime No. 101/2025, registered at Police Station-Somni, Rajnandgaon, District- Rajnandgaon



(CG) for the offence punishable under Section 420 of IPC.

2. The prosecution story in brief, is that, Tarkeshwar Nath (ITBP Campus Dongargarh) lodged a report in the concerned police station alleging that the present applicant entered into an agreement to sell the plot no. 154-155 area 2014.16-2014.16 of Balaji Dream city approved for housing under RERA No. PCGRERA200718000617 in the land situated at Mauja Tedesara, Somani, Rajnandgaon, claiming to be the general power of attorney of M/s Jagdamba Infratech Chandrapur, and thus he deposited amount in favour of the applicant on 11.12.2023 and received Rs. 5,71,100/- from the applicant in installments through the bank from 20.05.22023 to 01.05.2025 for purchase of the land and further it is alleged that the applicant caused delayed in execution of the sale deed in favor of the complainant and when he forced to execute sale deed the applicant called him to the Registrar's office in Rajnandgaon and prepared a power of attorney papers in place of sale deed and thus he became power of attorney of the complainant to purchase the above plot for plot no. 154-155 on the basis of a forged signature. The present applicant has submitted a photocopy of the general attorney and the agreement for the sale of the land executed at the Rajnandgaon Registrar's office. Thereafter the concerned police station has registered the Crime No. 101/2025 registered in police station Somni Rajnandgaon, District- Rajnandgaon (C.G.) for an alleged offence punishable under Section 420 of IPC.



3. It was argued by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case and he is the true agent of the owners of the above project and he has never cheated any person and sold about 150 plots in the above project. Vide order dated 21.12.2022 the Collector Rajnandgaon has banned sale and purchase of the land in certain area of various village in Rajnandgaon and the present project is also under prohibited there is also a delay caused in execution of the sale deed in favor of the complainant. It is further submitted by the learned counsel for the applicant that the present applicant has no previous criminal antecedents and he has been roped in this offence. The applicant is in jail since 30.07.2025 and the trial is likely to take some time for its conclusion. Therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, the dispute, prima facie, appears to arise out of a transaction relating to sale of immovable property, involving payment of money and alleged non-execution of sale deed, and the fact that the applicant is in jail since 30.07.2025 and the charge-sheet has already been filed, further the conclusion of the trial may take



some more time, this Court is of the view that the applicant is entitled to be released on bail in this case.

7. Let the applicant- **P. Vijay Kumar**, involved in Crime No. 101/2025 registered at Police Station Somni, Rajnandgaon, District- Rajnandgaon (C.G.), for the offence punishable under Section 420 of IPC be released on bail on his furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against them under Section 269 of Bhartiya Nyay Sanhita, 2023

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure their presence, proclamation under Section 84 of



BNSS, is issued and the applicants fail to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against them, in accordance with law, under Section 209 of Bhartiya Nyaya Sanhita, 2023.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 BNSS. If in the opinion of the trial court absence of the applicants is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against them in accordance with law.

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

Sd/-

(Ramesh Sinha)
Chief Justice

Madhurima