



CGHC010249242026



2026:CGHC:27737

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1033 of 2026

Sukhvinder Singh S/o Shri Gurumukh Singh Aged About 49 Years R/o
A-277, A-Block, Market, Surya Nagar, Chandar Nagar, Ghaziabad (U.P.)

... Applicant

versus

State Of Chhattisgarh Through Station House Officer, Police Station-
Kotwali, District- Rajnandgaon C.G.

... Respondent

For Applicant : Shri Sunil Otwani, Sr. Advocate with Shri
Hemant Tolani, Advocate.

For : Shri Jitendra Shrivastava, G.A.

Respondent/State

For complainant : Shri Ravi Kumar Bodhani, Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

06/07/2026

1. This first anticipatory bail application under Section 482 of the
Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the
applicant, who is apprehending his arrest in connection with
Crime No.290/2026 registered at Police Station – Kotwali,

Rajnandgaon, District Rajnandgaon (C.G.) for the offence punishable under Section 420 of the Indian Penal Code, 1860.

2. Case of the prosecution, in brief, is that the complainant Meera Makhija, Proprietor of Jai Maa Santoshi Cold Storage, Village Bori, District Rajnandgaon, lodged a written complaint before Police Station Kotwali, Rajnandgaon on 03.06.2026 alleging that the applicant, being the Director of Metro Refrigeration Industries, Ghaziabad, Uttar Pradesh, entered into an agreement on 11.11.2022 for construction of a cold storage for a total consideration of Rs. 7,18,00,000/-. It is alleged that the complainant paid a total sum of Rs. 7,17,59,506/- (Rs. 6,55,38,231/- through bank transactions and Rs. 62,21,275/- in cash) to the applicant at different intervals. It is further alleged that the applicant completed work worth only Rs. 5,19,01,394/- and left work worth Rs. 1,98,58,112/-incomplete, and neither completed the work nor returned the excess amount, thereby committed cheating and breach of trust.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the present case to avoid payment of the outstanding amount due under commercial contracts executed between the parties for construction of a cold storage. It is submitted that the dispute is purely civil and contractual in nature, arising out of multiple agreements executed between the parties from time to time. The applicant had completed about 85% of the

work and the remaining work could not be completed due to non-payment by the complainant. It is further submitted that the applicant issued a legal notice demanding the outstanding amount of Rs.1,61,91,969/- and has also instituted civil recovery proceedings against the complainant. Despite this, the complainant lodged the present FIR only to pressurize the applicant and avoid payment. It is argued that the essential ingredients of the offence of cheating are not made out, as there was no dishonest intention on the part of the applicant from the inception of the transaction. Learned counsel further submits that the applicant has no criminal antecedents, is a permanent resident of Ghaziabad and all the relevant evidence is documentary in nature. Therefore, custodial interrogation is not required. He would submit that the applicant is ready to cooperate with the investigation and abide by any condition that may be imposed by this Court. Hence, it is prayed that the applicant be granted anticipatory bail.

4. On the other hand, learned State counsel as also learned counsel for the complainant oppose the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties and perused the materials available on record.
6. Considering the facts & circumstances of the case, submission of learned counsel for the parties, materials available on record,

considering the nature of allegation levelled against the applicant, further the fact that dispute is purely civil and contractual in nature and also considering the fact that investigation and trial are likely to take some time, without commenting anything on the merits of the case, I am inclined to grant anticipatory bail to the present applicant.

7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Sukhvinder Singh**, on executing a personal bond and one local surety in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-

(a) The applicant 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.

(b) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.

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

(d) The applicant and the surety shall submit a copy of his adhaar card along with a coloured postcard full size photo having printed the adhaar number on it, which

shall be verified by the trial Court.

(e) The applicant shall not involve himself in any offence of similar nature in future.

Sd/-

(Ramesh Sinha)
Chief Justice

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