



CGHC010247272026



2026:CGHC:28188

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6030 of 2026

Chanpreet Singh S/o Surendra Pal Singh Aged About 36 Years (Wrongly Not Mentioned In The Cause Title of Impugned Order) R/o Navyug School, Near Mahakal Temple, Veer Sawarkar Nagar P.S. Kabir Nagar, District : Raipur, Chhattisgarh

... Applicant

versus

State of Chhattisgarh Through Station House Officer P.S. Kabir Nagar, District : Raipur, Chhattisgarh

... Non-applicant

For Applicant : Ms. Aditi Singhvi, Advocate.

For Non-applicant/State : Mr. Jitendra Shrivastava, Govt. Advocate.

Hon'ble Shri Ramesh Sinha, Chief Justice

Order on Board

08.07.2026

1. This is the **First bail application** filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail to the applicant who has been arrested in connection with Crime No. 17/2025 registered at Police Station : Kabir Nagar, District - Raipur (C.G.) for the offence punishable under Section 420 of the Indian Penal Code.
2. The prosecution case, in brief, is that a notarized agreement dated 24.12.2019 was executed between the complainant and the applicant in respect of a land and house situated at Village Sondongri, District Raipur (C.G.), for a total sale consideration of Rs. 32,51,000/-. At the time of

execution of the agreement, the applicant received a sum of Rs. 3,03,000/- as earnest money. As per Clause No. 2 of the agreement, the property was already mortgaged with Home First Finance Company against a loan of Rs. 14,00,000/-. Thereafter, the complainant and her husband paid a total sum of Rs. 29,50,000/- to the applicant, whereupon the mortgage with Home First Finance Company was redeemed, and the original title documents of the property were handed over to the complainant on 18.03.2021. On 17.12.2024, the complainant received a notice from the Debt Recovery Tribunal (DRT), pursuant to which she came to know that the same property had also been mortgaged with the Central Bank in connection with a loan allegedly obtained for the purchase of a two-wheeler. Since the said loan had not been repaid, proceedings had been initiated for attachment of the property. It has further been stated that the original title documents of the property are in the possession of the complainant and have been submitted by her before SBI Bank. It has also been alleged that Original Application (OA) No. 499/2016, filed by the Central Bank before the Debt Recovery Tribunal, Jabalpur, has already been decided, and Recovery Case No. RC/6/2017 is presently pending against the applicant.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. She submits that the applicant has not mortgaged the original title documents of the property with the Central Bank. As stated in the FIR itself, the original title documents have remained in the possession of the complainant. She also submits that the applicant is not at fault. After receiving the entire sale consideration, the applicant repaid the outstanding loan amount to Home First Finance Company, pursuant to which a loan closure letter was issued and the original title documents of the property were returned

to the complainant. It is further submitted that, as per the letter issued by the Central Bank to the Station House Officer, Police Station Kabir Nagar, Raipur (C.G.), the loan in question was sanctioned under the Small Road Transport Operators (SRTTO) Scheme. Under the said scheme, no collateral security is required to be mortgaged with the Bank. The security for the loan consists of hypothecation of the financed vehicle, which is covered under the CGTMSE Guarantee Scheme. Only if the borrower voluntarily offers collateral security is such security required to have a realizable value equivalent to 125% of the loan amount. She submits that the judgment dated 07.12.2016 passed by the Debt Recovery Tribunal, Jabalpur, was an ex parte judgment passed without the knowledge of the applicant. The applicant became aware of the said judgment only at a much later stage, when he was informed by the police authorities. She submits that negotiations are presently underway between the applicant and the Bank. The possession and title documents of the property continue to remain with the complainant. The applicant is a truck driver by profession and frequently travels from one place to another in connection with his work. At the relevant time, the applicant was in Punjab for his employment and was unaware of the registration of the present FIR against him. The applicant does not own a private house, and his parents reside at Raipur. Consequently, he came to know about the registration of the present FIR only at a much later stage. She submits that the present applicant has no criminal antecedents and he is in jail since 10.06.2026, conclusion of the trial may take some time, therefore, she prays for grant of regular bail to the applicant.

4. On the other hand learned State counsel opposes the bail application of the present applicant and submits that the charge-sheet has been submitted before the competent Court in the present case and also

endorse the submission made by learned counsel, for the applicant that the present applicant has no criminal antecedent.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstance of the case, nature and gravity of offence and further the fact that the applicant has no criminal antecedents. Also considering the fact that the charge-sheet has already been submitted in the present case before the competent Court and the present applicant has been in jail since 10.06.2026, the trial is likely to take sometime for its conclusion, therefore, I am of the opinion that the applicant is entitled to be released on bail in this case.
7. Let applicant, **Chanpreet Singh**, involved in Crime No. 17/2025 registered at Police Station : Kabir Nagar, District - Raipur (C.G.) for the offence punishable under Section 420 of the Indian Penal Code, be released on bail on furnishing **a personal bond with two sureties** in the like amount 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 him under Section 269

of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(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 of BNSS. If in the opinion of the trial court absence of the applicant 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 him in accordance with law.

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

Sd/-
(Ramesh Sinha)
Chief Justice