



CGHC010294452026



2026:CGHC:33220

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****M.Cr.C(A) No.1226 of 2026**

K. R. Chouksey S/o S.L. Chouksey Aged About 65 Years R/o Vaibhav Homes, Phase-2, Ayodhya Bypass Road, Piplani, Distt. Bhopal, M.P.(Surname wrongly spelled as "Chowkse" in cause title of order sheet) **... Applicant**

versus

State Of Chhattisgarh Through S.H.O., P.S. City Kotwali, Distt. Bilaspur, Chhattisgarh. **... Non-applicant**

For Applicant : Mr. Chandresh Shrivastava, Advocate.

For Non-applicant/State : Mr. Soumya Rai, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice
Order On Board

31.07.2026

- The Applicant has preferred this anticipatory bail application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of Anticipatory Bail, apprehending his arrest in connection with Crime No.159/2025, registered at Police Station – City Kotwali, Bilaspur (C.G.) for alleged commission of offence punishable under Sections 420/34 of

IPC as also under Sections 4, 5, 6 and 10 of CG Protection of Depositors' Interest Act, 2005.

2. As per the prosecution story, the complainant lodged a written complaint alleging that during the period 2013 to 2016, the Directors and office-bearers of Regal Bhawan Nirman and Infrastructure India Limited, including the present Applicant, induced the villagers by assuring them that the amounts invested in the company would be doubled. On such inducement, the villagers invested approximately Rs.15,00,000/-, which was collected through local agents and deposited at the company's office situated at Karbala Chowk, Bilaspur. It is alleged that despite repeated demands, the company failed to return the invested amounts and its Directors kept giving false assurances, thereby cheating the investors. During investigation, it surfaced that the present Applicant was one of the Directors of the company during the relevant period along with the other co-accused. On the basis of the said complaint, offences mentioned above, were registered against the Applicant. Hence, this application.
3. Learned Counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. It is submitted that the Applicant is a retired employee

of BHEL and was not connected with Regal Bhawan Nirman Infrastructure India Ltd. during the alleged period of offence from 2013 to 2016, he is neither named in the FIR nor is there any allegation against him by the complainant or any of the depositors and his name has surfaced subsequently on the basis of the memorandum statement of co-accused Pankaj Verma. It is further submitted that the Applicant was neither a promoter, director, manager, employee nor responsible for the management or affairs of the said company and had no role in collection of deposits from the investors. It is also submitted that the complainant and other investors have already entered into a settlement with the main accused and the invested amounts have been returned, pursuant to which the main accused Pankaj Verma has also been granted bail by this Court vide order dated 09.07.2026 passed in MCRC No.5068/2026. It is lastly submitted that the trial is likely to take considerable time for its conclusion, therefore, the Applicant is entitled to the benefit of anticipatory bail.

4. On the other hand, learned State Counsel opposes the application and raises a preliminary objection regarding its maintainability submitting that in view of the specific bar contained under Section 15 of the Chhattisgarh Protection of Depositors' Interest Act, 2005, no application for grant of

anticipatory bail is maintainable for an offence punishable under the said Act.

5. In reply to the aforesaid preliminary objection, learned Counsel for the Applicant submits that the bar under Section 15 of the Act would not operate in a case where no prima facie material exists warranting arrest or where the complaint does not make out a prima facie case under the Act. He placed reliance upon the judgment of the Division Bench of this Court in **WP(CR) No.141/2023, *Rajeshwar Prasad Dwivedi vs. State of Chhattisgarh*** decided on **14.03.2023**, wherein the legal position in this regard has been clarified. It is submitted that in the present case, there is no prima facie material connecting the Applicant with the alleged offence and, therefore, the application for anticipatory bail is maintainable.
6. I have heard learned counsel for the parties and perused the material available on record.
7. Considering the submissions advanced by learned Counsel for the parties, the preliminary objection raised by learned State Counsel, the judgment relied upon by learned Counsel for the Applicant and the material available in the case diary, this Court finds that although the bar under Section 15 of the Chhattisgarh Protection of Depositors' Interest Act, 2005

would not operate in a case where no prima facie material exists warranting arrest or where no prima facie case under the said Act is made out, the present case does not fall within such an exceptional category. On perusal of the material available on record, it is apparent that a prima facie case is made out against the present Applicant and he is involved in three cases of similar offences. It is further evident that the co-accused with whom the Applicant claims parity was granted regular bail by this Court. In view of the aforesaid facts and circumstances, this Court is not inclined to grant the benefit of anticipatory bail to the Applicant.

8. Accordingly, the Anticipatory Bail application of the Applicant – **K. R. Chouksey**, filed under Section 482 of the BNSS, 2023 in connection with Crime No.159/2025, registered at Police Station – City Kotwali, Bilaspur (C.G.) for alleged commission of offence punishable under Sections 420/34 of IPC as also under Sections 4, 5, 6 and 10 of CG Protection of Depositors' Interest Act, 2005, is hereby **rejected**.
9. Office is directed to provide a certified copy of this order to the trial Court concerned for necessary information.

Sd/-
(Ramesh Sinha)
Chief Justice