

1 MCRC No.36553/2019

HIGH COURT OF MADHYA PRADESH
M.Cr.C. No.36553/2019

Dilip Singh Chawda Vs. State of M.P.

Indore: Dated:- 11.9.2019

Shri Manish Manana, learned counsel for the petitioner.

Shri R.K.Pathak, learned Public Prosecutor for the respondent/State.

Heard with the aid of case diary.

ORDER

This is first application under section 438 Cr.P.C of **petitioner Dilip Singh Chawda** seeking anticipatory bail in connection with Crime No.303/2017 registered at Police Station -Nanakheda District Ujjain for the offence punishable under sections 420 and 406 of IPC.

2. Allegation against the petitioner is that even after receiving Rs.41,00,000/- (Rupees Forty One Lakhs) as advanced by cheque, he denied to execute the sale deed in favour of the complainant.

3. A civil suit filed by the complainant for specific performance of contract is also pending between both the parties.

4. Considering the nature of the incident and other facts and circumstances of the case the application is **allowed**. It is directed that in the event of arrest of the petitioner or his surrender before the Investigating Officer or before the concerned Judicial Magistrate within 30 days from today in connection with the aforesaid crime number, **he shall be released on bail subject to depositing of Rs.41,00,000/- (Rupees Forty one Lacs) in the Court and upon his furnishing personal bond in the sum of Rs.50,000 (Rupees Fifty Thousand) with one solvent surety** in the like amount to

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the satisfaction of the arresting officer. This order shall be governed by the conditions No.1 to 3 of sub section (2) of section 438 Cr.P.C.

5. Learned trial court shall fix deposit the amount deposited by the petitioner with any Nationalised Bank for the period which can fetch maximum interest with further auto renew option, if available or it be further renewed as and when required. Disbursement of the amount so deposited shall be subject to the order of the Court.

**(VIRENDER SINGH)
JUDGE**

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