

**HIGH COURT OF MADHYA PRADESH**  
**BENCH AT INDORE**  
**M.Cr.C No.19812/2020**

**Ranveer Singh Chhabra Vs. State of MP**

**Indore Dated:-03/07/2020**

Shri Vinay Saraf, learned senior counsel with Shri Sunit Kapoor, learned counsel for the petitioner.

Shri Vivek Dalal, learned Additional Advocate General for the respondent/State.

This is the second application under section 439 of the Cr.P.C in crime no.64/2019 under section 420, 406, 387, 294, 506, 34 of the IPC registered at police station Raoji Bazar District Indore. His first temporary application was dismissed as withdrawn vide order dated 09.06.2020 passed in M.Cr.C No.13902/2020.

2. Some and substances of the prosecution case is that the complainant Jahid Khan and his brother Shahid Khan booked a plot in Jagrati Grahnirman Society in the year 2001 and deposited Rs.54,551/- each. They claimed that the society issued receipts of this booking amount. At that time, the president of the society was one Jayant Bum. The society denied their claim, therefore, both the brothers took the matter to the Consumer Form in the year 2011 by filing two cases. The society replied that the complainant were neither member of the society nor were entitled for any plot. The receipts relied on by them are fake and frivolous. No such receipts had ever been issued by the society. The dispute was also inquired by the co-operative department and no irregularity was found. In reply to the query raised by the SHO, Police Station Raoji Bazar, the Joint Registrar, Co-operative Societies, Indore Division informed that no irregularity or illegality was found in the functioning of the society. It was also informed that the complainants Jahid and Shahid were not found members of the

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society. The booking amount claimed by them was not found deposited in the accounts of the society. No receipt or certificate of allotment of plot was found issued by the society in their favour. It was recommended that the complaint made by them before the police deserves to be dismissed.

3. In February, 2020 i.e. 19.02.2020 both the brothers approached the police, filed written complaint alleging that about six months back when they had gone to the office of the Registrar of Stamps and Registration situated in Motitabela for some work, the petitioner met them. He threatened them to return the original receipts of deposit of the booking amount with the society or face the dire consequences. He forced them to sign some blank papers under the threat of life. Taking cognizance on this complaint, the police register present case against the petitioner.

4. At the outset, learned counsel for the petitioner submitted that the petitioner is neither member nor office bearer of the office. He has nothing to do with the society. In all the proceedings taken up before registration of the present complaint, the society is constantly denying membership of both the complainant brothers. The matter is sub-judice before the authorities. No specific date of incident is mentioned in the FIR. There is nothing on record to show that the complainant or the petitioner had ever visited office of the Registrar of Stamps. There is a delay of six months in filing the FIR with no explanation at all. There is no reason or occasion for the petitioner to threat the complainant for the papers, genuineness of which was already denied by the society. Therefore, even on the face of it, the case of the complainant is unbelievable and this makes the petitioner entitled for bail.

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5. Per contra, learned Additional Advocate General submitted that as many as 1300 complaints are pending for inquiry against Jagrati Grahnirman Society. The officer of the rank of Additional District Magistrate is inquiring all those complaints. Blank signed paper of the complainant is recovered from possession of the petitioner. Another case in respect of same Jagrati Grahnirman Society has been registered at police station Bhanwarkua and is under investigation. The presence of the petitioner is required in that case also, therefore, he be not granted bail.

6. Further, learned AAG referred to the statement of the complainant recorded under section 164 of the Cr.P.C by the Judicial Magistrate First Class, wherein both the complainant brothers have reiterated the facts mentioned in their written complaint.

7. The learned AAG pointed out that the petitioner has following criminal record:

| Sr. No. | Crime Number | Under Section                                    | Police Station |
|---------|--------------|--|----------------|
| 1       | 46/1999      | 136(1) of The Representation of People Act, 1951 | Annapurna      |
| 2       | 158/1996     | 336, 427 IPC                                     | Chandan Nagar  |
| 3       | 181/1996     | 147, 353, 506 IPC                                | Banganga       |
| 4       | 155/1996     | 307, 324, 147, 148, 294, 506 34 IPC              | Chandan Nagar  |
| 5       | 156/1996     | 147, 148, 323, 336 34 IPC                        | Chandan Nagar  |
| 6       | 507/2005     | 420, 467, 468, 409, 120-B IPC                    | Tukoganj       |
| 7       | 755/2010     | 420, 182, 34 IPC                                 | M.I.G.         |
| 8       | 934/2010     | 420, 467, 468, 409, 120-B IPC                    | Tukoganj       |
| 9       | 312/2010     | 406, 409, 420 IPC                                | Annapurna      |
| 10      | 652/2019     | 420, 467, 468, 406, 409, 120-B IPC               | Kanadia        |
| 11      | 1259/2019    | 420, 467, 468, 471, 34 IPC                       | Khajrana       |

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|    |          |                                       |             |
|----|----------|---------------------------------------|-------------|
| 12 | 902/2019 | 420, 406, 467, 468, 471, 120-B<br>IPC | Bhawarkuan  |
| 13 | 377/2019 | 420, 467, 468, 406, 409, 120-B<br>IPC | Raoji Bazar |
| 14 | 64/2020  | 420, 387, 294, 506 and 34 IPC         | Raoji Bazar |

8. It is submitted that until 2005, the petitioner was indulged in the criminal activities and after 2005 he entered in the business of real estate and started grabbing lands of others through capturing co-operative societies and by all sort of other means. The record shows that he was actively involved in the affairs of the Society and, therefore, he be not granted bail.

9. The learned AAG has fairly admitted that there is no document on record to rebut the facts narrated by the learned senior counsel for the petitioner or to show that the petitioner is either member or the office bearer of the society.

10. In respect of the criminal record, it is submitted by the learned Counsel for the petitioner that in first four cases the petitioner has been acquitted, in one case FIR has been quashed by the Division Bench of this Court and rest of the cases have been registered recently one after the other in a short span to harass the petitioner to avoid his release from the jail in case he gets bail in one or the other case. Therefore, that cannot be a ground for denying bail to the petitioner.

11. Having regard to the aforesaid, allegation made against the petitioner and availability of the evidence to support them, in the considered opinion of this Court, this is a fit case for grant of bail, therefore, without commenting on merits of the case, the petition stands allowed.

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12. It is directed that the **petitioner Ranveer Singh Chhabra S/o Inder Singh Chhabra** be released from custody on his furnishing a personal bond in the sum of **Rs.1,00,000/- (Rs. One Lakh)** with one solvent surety of the like amount to the satisfaction of the Trial Court for his appearance before the Trial Court as and when required further subject to the following conditions:

- (I) The petitioner shall co-operate with the trial and shall not seek unnecessary adjournments on frivolous grounds to protract the trial;
- (ii) The petitioner shall not directly or indirectly allure or make any inducement, threat or promise to the prosecution witnesses, so as to dissuade them from disclosing truth before the Court;
- (iii) The petitioner shall not commit any offence or involve in any criminal activity;
- (iv) In case of his involvement in any other criminal activity or breach of any other aforesaid conditions, the bail granted in this case may also be cancelled.

**(Virender Singh)**  
**Judge**

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