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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 473 of 2026

1 - Gulab Bai Pandey W/o Late Komal Prasad Pandey, Aged About 82 Years R/o Shri Krishna Gaousala Modi Chowk Thana Champa, District- Janjgir- Champa(C.G.)

2 - Sangeeta Devi Pandey, W/o Late Alok Kumar Pandey, Aged About 55 Years R/o Shri Krishna Gaousala Modi Chowk Thana Champa, District- Janjgir- Champa (C.G.)

3 - Adarsh Pandey, S/o Late Alok Kumar Pandey, Aged About 24 Years R/o Shri Krishna Gaousala Modi Chowk Thana Champa, District- Janjgir- Champa (C.G.)

4 - Aparga Pandey D/o Late Alok Kumar Pandey, Aged About 27 Years R/o Shri Krishna Gaousala Modi Chowk Thana Champa, District- Janjgir- Champa (C.G.)

5 - Archana Sharma W/o Krishna Sharma Aged About 30 Years R/o Indra Vihar Bandhawa Para, Sarkanda, Bilaspur (C.G.)

... Applicants

versus

State Of Chhattisgarh Through S.H.O. Police Station Sakri District- Bilaspur (C.G.)

... Respondent

For Applicants	:	Mr. Awadh Tripathi, Advocate.
For Non-applicant/State	:	Ms. Anusha Naik, Dy. G.A.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

01.04.2026



1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who are apprehending their arrest in connection with Crime No.59/2026 registered at Police Station – Sakri District - Bilaspur (C.G.) for the offences punishable under Sections 420, 464, 467, 468, 471, 34 of the BNS.
2. The prosecution story, in brief, is that on 20.01.2026, the complainant, Manish Shukla, lodged a written First Information Report before the Station House Officer of Police Station Sakri alleging that the accused persons, namely Akhilesh Pandey, Anurag Kumar Pandey and Abhishek Pandey, in furtherance of their common intention, fraudulently declared the complainant to be dead by preparing and using false affidavits and forged documents. It is alleged that on the basis of such forged documents, the accused persons sold House No. 04 constructed over Khasra No. 258, area 0.1500 hectare, situated at Village Sakri, Patwari Halka No. 26/45, Tahsil Sakri, District Bilaspur, Chhattisgarh, which was recorded in the names of the complainant's minor children, namely Master Shukla aged about 9 years, Ku. Parinidhi Shukla aged about 15 years and Ku. Pratibha Shukla aged about 17 years. The said property had devolved upon the children from their maternal grandfather through their deceased mother, Late Smt. Amita Shukla, who died on 04.04.2018. It is further alleged that the accused persons sold the said property to another person on 09.10.2023 and distributed the sale consideration among themselves, thereby causing wrongful loss to the complainant and his children. Upon registration of the property, the complainant came to know that he had been falsely shown as dead and that the accused persons had



got the property mutated in the name of the purchaser. On the basis of the aforesaid allegations, Police Station Sakri registered Crime No. 59/2026 for offences punishable under Sections 420, 464, 467, 468, 471 and 34 of the Indian Penal Code. Thereafter, the applicants preferred Anticipatory Bail Application No. 333/2026, which came to be dismissed by the Court of the 4th Additional Sessions Judge, Bilaspur, on 12.03.2026.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the present case and are innocent persons. It is submitted that Late Smt. Amita had suffered burn injuries at her matrimonial home and died on 04.04.2018, and although the husband of Late Amita was under suspicion, no report was lodged by the applicants. It is further submitted that Late Amita had already executed a relinquishment deed dated 15.09.2010 in favour of her mother and four brothers, including Akhilesh Kumar Pandey. Thereafter, the names of the two daughters and one son of Late Amita were duly mutated in the ancestral property inherited from her parental side and the names of the applicants and the children of Late Amita were recorded in the revenue records. It is also submitted that the competent authority had authorized the present applicant to act as de facto guardian of the minor children and that a general power of attorney had also been executed in favour of Akhilesh Kumar Pandey by the other recorded owners. Learned counsel further submits that part of the land had been acquired for the Arpa-Bhaisa Jhar Project State Highway and compensation amounting to Rs. 3,44,138/- was fixed in the names of the minors and handed over to the informant. It is contended that due to legal necessity some ancestral property was sold and, although in



the revenue records the father of the minor children, namely Manish Shukla, was shown alive, in the sale deed dated 09.10.2023 the word "Late" was inadvertently mentioned before his name due to a *bona fide* mistake on the part of the document writer, whereas in other documents and subsequent sale deeds, including the registered sale deed dated 13.05.2024, he has been shown alive. It is submitted that there was no dishonest intention or *mens rea* on the part of the applicants to commit cheating or forgery and that no criminal offence is made out against them. Learned counsel further submits that the complainant, due to suspicion surrounding the death of his wife and with a view to grab the ancestral property inherited by the children from their maternal side, has falsely implicated the entire family of Late Amita and has given a criminal colour to what is essentially a civil dispute. It is also submitted that the applicants are respectable persons, applicant No.1 is employed as a chief mentor in an industry and applicant No.2 is a teacher, they have no criminal antecedents, no custodial interrogation is required, and their arrest would cause irreparable loss to their service career. It is further submitted that co-accused persons, against whom similar allegations have been levelled, have already been granted anticipatory bail by the Hon'ble High Court, and that the applicants are permanent residents, there is no likelihood of their absconding or tampering with the prosecution evidence, and they are ready to furnish adequate surety and abide by any condition imposed by this Hon'ble Court.

4. On the other hand, learned State counsel opposes the anticipatory bail application.



5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the submissions advanced by learned counsel for the parties, the nature of the dispute and the material available on record, and in view of the fact that the similarly situated co-accused namely Akhilesh Kumar Pandey has already been granted bail by this Hon'ble High Court MCRCA No. 1485 of 2026 vide order dated 16.03.2026, therefore, without making any further comment on the merits of the case, this Court deems it appropriate to grant anticipatory bail to the applicants.
7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicants – **Gulab Bai Pandey, Sangeeta Devi Pandey, Adarsh Pandey, Aparga Pandey & Archana Sharma**, on executing a personal bond and one local surety each in the like sum to the satisfaction of the arresting Officer, he shall be released on bail on the following conditions:-
- (a) they 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) they shall not act in any manner which will be prejudicial to fair and expeditious trial.
 - (c) they shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.



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(d) the applicants 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) they shall not involve themselves in any offence of similar nature in future.

Sd/-

(Ramesh Sinha)
CHIEF JUSTICE

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