



2026:CGHC:20230

**NAFR****HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 640 of 2026**

Smt. Kanchan Singh W/o Santosh Kumar Singh Aged About 42 Years  
R/o - House No. 24/ D, Street 16, Sector 2, Bhilai, Durg, District - Durg  
(C.G.)

**... Applicant****versus**

State of Chhattisgarh Through Station House Officer, Police Station -  
Newai, Durg, District - Durg (C.G.)

**... Non-applicant**

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|--------------------------|--|
| For Applicant            | : Mr. Rishabh Bisen, Advocate through VC |
| For Non-applicant/State  | : Mr. Shailendra Sharma, Panel Lawyer    |
| For Complainant/Objector | : Mr. Sourabh Poddar, Advocate.          |

**Hon'ble Shri Ramesh Sinha, Chief Justice****Order on Board****30.04.2026**

1. This first anticipatory bail application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed by the applicant, who is apprehending her arrest in connection with Crime No. 198/2026 registered at Police Station Newai, Durg, District - Durg, (C.G.) for the offence punishable under Sections 115, 296, 308(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and under Section 04 of the Karja Act/Chhattisgarh Money Lenders Act.



2. As per the prosecution's case, in brief is that the complainant has lodged an FIR bearing No. 198/2026 against the applicant alleging that the applicant had charged exorbitant interest at the rate of 80% on the amount advanced and had recovered an excessive sum of Rs. 22,80,000/-, out of which Rs. 10,00,000/- was allegedly paid through digital transactions and Rs. 12,00,000/- in cash. It is further alleged that upon failure of the complainant to repay the remaining credit amount, the applicant retained the documents of the complainant's house as security, and further, the applicant along with co-accused persons abused and criminally intimidated the complainant. Hence, the present anticipatory bail application.
3. Learned counsel for the applicant submits that the applicant is a duly licensed money lender, having obtained a valid licence under Section 11(B) of the Chhattisgarh Sahukari Act, 1934 (as amended in 2005) from the competent authority, i.e., the Tehsildar and Sub-Registrar, Durg, on 27.02.2024, and has been advancing loans to known persons on a lawful rate of interest of 2% per month. It is submitted that the complainant, who was previously acquainted with the applicant, had been regularly borrowing amounts on credit since mid-2023 and, after gaining the trust of the applicant, continued to take substantial amounts during the year 2024 without any formal agreement, which cumulatively amounted to Rs. 8,11,000/-, out of which only Rs. 85,000/- has been repaid, leaving an outstanding amount of Rs. 7,26,000/-. It is further submitted that several transactions were also carried out through bank transfers, clearly reflected in the applicant's bank statements, showing that a



total sum of Rs. 1,69,800/- was transferred to the complainant, out of which only Rs. 1,20,600/- has been returned, leaving a further balance amount due. He further submits that despite repeated requests, the complainant failed to repay the outstanding amount, and in order to evade liability, has falsely lodged the present FIR bearing No. 198/2026 at Police Station Newai, District Durg, with concocted and exaggerated allegations. It is further submitted that the allegations regarding mortgaging of property documents are patently false and baseless, as the said property is already mortgaged with ICICI Bank since 16.06.2016 and the original documents are in possession of the bank, making it impossible for the applicant to have taken the same. It is also contended that the allegation of charging exorbitant interest at the rate of 80% per month is wholly false, as the applicant has never demanded such illegal interest and had, in fact, requested only for repayment of the principal amount considering the financial condition of the complainant. It is further submitted that no accident, as alleged in the FIR, ever occurred, and the complainant herself has admitted to collecting money from the customers of the applicant, which she has falsely projected as her own funds. He further submits that the allegation of assault dated 11.03.2026 is also false and belied by subsequent financial transactions between the parties, including payments made on 18.03.2026, which demonstrate cordial relations between them. It is thus submitted that there is no documentary evidence to support the claim of the complainant regarding payment of Rs. 22,80,000/-, and on the contrary, the records clearly establish



that a substantial amount is still due and payable by the complainant to the applicant. Therefore, the entire prosecution case is false, fabricated, and instituted with a *mala fide* intention to avoid repayment of legally recoverable dues and to falsely implicate the applicant. He also submits that she has one criminal antecedent in which she is on bail. Hence, it is prayed that the applicant be granted anticipatory bail.

4. On the other hand, learned State counsel, appearing for the non - applicant/State as well as learned counsel for the complainant/ objector opposes the submissions made by the learned counsel for the applicant and submits that the allegations against the applicant are serious in nature, as the applicant, taking advantage of her position as a money lender, has allegedly exploited the complainant by charging exorbitant and illegal interest to the extent of 80% and has recovered a huge amount of Rs. 22,80,000/-, partly through digital transactions and partly in cash. It is further submitted that the applicant has unlawfully retained the property documents of the complainant as security and has, along with co-accused persons, subjected the complainant to abuse and criminal intimidation. It is contended that the material available on record, including the FIR and supporting documents, *prima facie* establishes the involvement of the applicant in the commission of the offence, and the defence sought to be raised by the applicant regarding financial transactions and alleged outstanding dues is a matter of trial and cannot be considered at this stage. He also submits that the conduct of the applicant reflects misuse of her licence and position. It is also



submits that the applicant has one more criminal antecedent of the similar nature, and considering the gravity of allegations, the possibility of influencing witnesses, and the need for custodial interrogation, the applicant is not entitled to the discretionary relief of anticipatory bail.

5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature of allegations, and the material placed on record, it appears that the dispute between the parties primarily arises out of financial transactions relating to advancement of money, and the applicant appears to be a licensed money lender holding a valid licence under the relevant provisions of law. The record further reflects that substantial transactions between the parties were carried out through banking channels and are supported by documentary evidence, and the defence raised by the applicant, including denial of allegations regarding exorbitant interest and unlawful retention of property documents, requires detailed examination during trial. It is also noteworthy that the applicant has one criminal antecedent in which she is on bail, and the allegations, though serious, are yet to be established on the basis of cogent evidence. In such circumstances, and without expressing any opinion on the merits of the case, this Court is of the considered view that the applicant deserves to be enlarged on anticipatory bail.



7. Accordingly, the instant MCRCA is **allowed** and it is directed that in the event of arrest of the applicant – **Smt. Kanchan Singh** on executing a personal bond and one surety in the like sum to the satisfaction of the arresting Officer, she shall be released on bail on the following conditions:-

(a) The applicant 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 her from disclosing such fact to the Court.

(b) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial.

(c) The applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

(d) The applicant and the surety shall submit a copy of her 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) The applicant shall not involve herself in any offence of similar nature in future.

**Sd/-**

**(Ramesh Sinha)  
Chief Justice**