

SC/06/2025

Old Case file no. 09/2022 SCPPS

CNR no.DLCT11-001079-2025

U/s 120B r/w 420/467/468/471/409 IPC

Zila Sahkari Krishi Gramin Vikas Bank Vs. Smt. Savitri, Rajinder Bharti & Ors.

02.04.2026

Present: Mr. Manish Rawat, Ld. APP for the State (*Physically*).

On behalf of the complainant Narender Singh Parmar, Ld. Counsel Mr. Anil Kumar Shukla (*Physically*).

Convict Rajendra Bharti produced from JC (*Physically*), with Ld. Counsels Mr. Abhik Chimni and Mr. Gurupal Singh (*Physically*).

Convict Raghuvir Sharan Prajapati produced from JC (*Physically*) with Ld. Counsel Sh. H. K. Shekhar (*Physically*).

Proceedings against accused Savitri already **abated** vide order dated 19.01.2019.

ORDER ON SENTENCE

Arguments on sentence heard from both the sides.

Vide judgment dated 01.04.2026 of this Court, this Court convicted the above named two convicts for the offences as follows :-

*“Accused **Rajendra Bharti** is found guilty and convicted of the offence of **criminal conspiracy punishable under S. 120B of IPC** read with Sec. 420/467/468/471 of IPC.*

*The accused **Raghuvir Sharan Prajapati** is found guilty and convicted of the following offences:*

- i. forgery of **Ext. P5 to 7 and P11**, which are valuable securities, punishable **under section 467** read with 120B of IPC.*
- ii. forgery of **Ext. P5 to 7 and P11**, for the purpose of cheating,*

punishable under Section 468 read with 120B of IPC.
iii. for criminal conspiracy punishable under Section 120B of IPC
read with Sections 420/467/468/471 of IPC.”

While Ld. Prosecutor for the State would argue that maximum sentence ought to be imposed upon the two convicts, the respective counsels for the two convicts pray for a lenient view for the reasons which are elaborated hereunder.

It is argued by the **Ld. Prosecutor** that both the convicts at the relevant time were working in the bank. Whereas convict Raghuvir Sharan Prajapati was Accountant, and convict Rajendra Bharti was the Chairperson of the bank. It is argued by him that adequate sentence is required to be imposed since it was the bank which was caused the loss undermining the faith of public in the banking system. It is argued that being custodian of the bank, both the convicts were supposed to safeguard the funds of the bank. Instead they cheated the bank itself through the process for which they have been found guilty.

Considering the seriousness of the offences, Ld. Prosecutor submits that maximum sentence be imposed. He also relies upon following three cases:

State of Punjab Vs. Bawa Singh (2015) 2 SSC 441;

Jaswinder Singh (Dead) Through Legal Representative Vs. Navjot Singh Sidhu And Ors. (2022) 7 SCC 628 and;

State of Gujarat Vs. Mohanlal Jitmalji Porwal & Anr. 1987 AIR 1321

Additionally, it is argued that Rajendra Bharti was involved in 5-6 criminal cases and earlier also he underwent custody in one matter for eight days. He is also claimed to be a Law Graduate and a sitting MLA. It is also argued that the convicts tried to delay the trial as is evident from certain order sheets recorded in the matter during trial. It is also argued that recent activities of convict Rajendra Bharti as noticed on social media platforms reflects that he is actively participating in public events and social functions.

On the other hand, on behalf of convict **Raghuvir Sharan Prajapati**, it is argued that a lenient view may be taken as he is aged 62 years and is living a retired life with his wife who is completely dependent upon him. It is argued that he merely draws a pension of Rs. 3400/- and that all his kids who are major are residing separately. Wife of convict Raghuvir Sharan Prajapati is stated to be a heart patient and completely dependent for care upon the convict. There is no previous conviction of Raghuvir Sharan Prajapati in any matter. It is claimed that he is not involved in any other criminal case besides the present one. His socio-economic background is also put forth requesting a lenient view.

On the other hand, counsel for convict **Rajendra Bharti** submits that Rajendra Bharti is a sitting MLA and he is presently third time MLA who is responsible for discharge of his public functions in that capacity. He is stated to be suffering from heart ailment himself and he has a pace maker already implanted in his heart. Also a stent was implanted in his heart sometime in the year 2021. Besides his heart problem, it is also stated that he is suffering from eyes ailment, particularly Cataract in one of his eye for which he is to be operated upon. He also suffered Covid-19 Pandemic. He is also stated to be suffering from allergic asthma and certain liver problems. It is also argued that in the last month Rajendra Bharti was admitted in a hospital in Delhi for ten days. On all the above mentioned grounds, a lenient view is prayed.

So far as judgments relied upon by the Ld. Prosecutor are concerned, the same have been perused and there cannot be any dispute that adequate sentence has to be imposed in any given matter. However, it is also always to be kept in view that the facts and circumstances of the particular case in which sentence is passed, cannot be overlooked. In a case of the nature in hand, restitution would serve justice better than physical incarceration.

Having heard both the sides, having taken into consideration all the submissions and having considered all the aggravating circumstances and

mitigating factors, in the considered opinion of this Court, **the following sentence would meet the ends of justice:**

- a) **Convict Raghuvir Sharan Prajapati** is sentenced to Simple Imprisonment for a period of **three years** for the offence U/s 467 of IPC read with Sec. 120B of IPC and a fine amount of Rs. 1 Lakh. In default of payment of fine, convict to undergo Simple Imprisonment for a period of three months.
- b) **Convict Raghuvir Sharan Prajapati** is sentenced to Simple Imprisonment for a period of **two years** for the offence U/s 468 of IPC read with Sec. 120B of IPC, and a fine amount of Rs. 50,000/-. In default of payment of fine, convict to undergo Simple Imprisonment for a period of forty-five days.
- c) **Convict Raghuvir Sharan Prajapati** is sentenced to Simple Imprisonment for a period of **three years** for the offence U/s 120B of IPC read with Sections 420/467/468/471 of IPC and a fine amount of Rs. 1 Lakh. In default of payment of fine, convict to undergo Simple Imprisonment for a period of three months.

Convict Rajendra Bharti is sentenced as follows :-

- a) **Convict Rajendra Bharti** is sentenced to Simple Imprisonment for a period of **three years** for the offence U/s 120B of IPC read with Sections 420/467/468/471 of IPC and a fine amount of Rs. 1 Lakh. In default of payment of fine, convict to undergo Simple Imprisonment for a period of three months.

It is ordered that from the realized fine whenever the fine amount is recovered, the fine amount shall be given in compensation to the *M.P. Rajya Sahkari Krishi Avem Gramin Vikas Bank Seemit, Bhopal*. Since it is stated that the complainant bank i.e. Zila Sahkari Krishi Gramin Vikas Bank has already went into liquidation, therefore it has been ordered that the recovered fine amount shall go as compensation to the M.P. Rajya Sahkari Krishi Avem Gramin Vikas Bank Seemit, Bhopal, being the Head Bank.

All the sentences qua convict Raghuvir Sharan Prajapati shall run concurrently. Benefit U/s 468 of BNSS (428 of Cr.P.C) be granted to both the convicts.

A digitally signed, duly certified copy of this sentence order be also supplied to both the convicts, immediately, free of cost.

At this stage, applications U/s 430 of BNSS (389 of Cr.P.C) are filed by both the convicts, separately, under IA no.10 & 11 of 2026.

Admittedly, both the convicts were on bail throughout the trial of this case. The maximum sentence imposed today is three years and not beyond three years, with the benefit of Section 468 of BNSS given to the convict, in terms of Sec. 430 of BNSS, both the convicts are admitted to bail for a period of 60 days from today for enabling them to file Appeal(s) before Hon'ble High Court in the present matter. During the period for which they shall remain on bail, the sentence of the present case shall remain suspended. The convicts to file personal bond, surety bond in the sum of Rs. 50,000/- with one surety in the like amount, for the above mentioned period. The bonds shall remain in force for a maximum period of 60 days from today or till the Appeal is filed and appropriate order is obtained from the Appellate Court.

Both the applications under IA no.10/2026 & 11/2026, U/s 430 of BNSS are accordingly disposed of.

Bonds preferred by the two convicts separately which are accepted for a period of 60 days.

**Announced in the open Court
on 02nd April 2026**

**(Dig Vinay Singh)
Special Judge (PC Act) (CBI)-09
(MPs/MLAs cases), RADC,
New Delhi / 02.04.2026**