

16.09.2020
SL No.41
Court No.8
(gc)
(Allowed)

**CRM 6596 of 2020
CRAN 1 of 2020**

(Through Video Conference)

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on **28.08.2020** in connection with **Uttarpara** P.S. Case No.**207/2020** dated **12.07.2020** under Sections **420/406** of the Indian Penal Code.

And

In the matter of: **Pritam Das.**

....Petitioner.

Mr. Arindam Das,
Mr. B. Israil,

...for the Petitioner.

Mr. Arijit Ganguly,
Mr. Sanjib Kumar Dan

...for the State.

Mr. Nabanil De

... for the de facto complainant.

The petitioner undertakes to affirm and stamp the petition/application as per Rules within one month of resumption of normal functioning of the Court. Subject to such undertaking, the application is taken up for hearing through video conference.

Accordingly, the application being CRAN 1 of 2020 is disposed of.

The learned Counsel appearing on behalf of the petitioner undertakes that the petitioner shall pay a sum of Rs.2.10 lakhs to the de facto complainant as per the Whats App message in which the petitioner purported to have acknowledged his liability for the said sum.

The learned Counsel for the de facto complainant submits that the petitioner is involved in a large number of cheating cases of similar nature.

The learned Counsel appearing on behalf of the State opposes the prayer for anticipatory bail.

Having regard to the nature of the offence alleged, which, in our view, is a dispute arising out of a franchise agreement and having regard to the fact that the petitioner has admitted liability and has undertaken to pay a sum of Rs.2.10 lakhs to the de facto complainant by 30th September, 2020, we allow the application for anticipatory bail to the petitioner. In the event of arrest the petitioner shall be released on anticipatory bail upon furnishing a bond of Rs.5,000/- (rupees five thousand) together with one surety of like amount, which must be local, to the satisfaction of the arresting officer subject to the condition as laid down under Section 438(2) of the Cr.P.C.

The application for anticipatory bail being CRM 6596 of 2020 is allowed.

All parties are to act on a website copy of this order on the usual undertaking.

(Jay Sengupta, J.)

(Soumen Sen, J.)