

24.09.2020.
Item No. 30
(Rejected)

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(Via Video Conference)

C.R.M. 6965 of 2020

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I.A. No. C.R.A.N. 1 of 2020

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with Chinsurah P.S. Case No. 293 of 2019 dated 11.09.2019 under Sections 420/506 of the Indian Penal Code (G.R. Case No. 1480 of 2019);

And

In the matter of : **Tamal Das**

... petitioner.

Mr. Kingsuk Mondal.

.....For the petitioner.

Mr. Sudip Ghosh,

Mr. Apurba Kr. Dutta.

...For the State.

The Advocate-on-Record of the petitioner undertakes to affirm and stamp the petition/application as per the Rules within forty-eight hours of resumption of the normal functioning of the Court. Subject to such undertaking and urgency the application is taken up for hearing through Video Conference.

Accordingly, the interlocutory application being IA No. CRAN 1 of 2020 is disposed of.

The learned Advocate for the petitioner submits that the petitioner purchased a property from the recorded owner and the complaint has been lodged by another purchaser from the heirs and legal representative of the said recorded owner on the ground of cheating and criminal intimidation. A case has been registered and he apprehends arrest in connection therewith.

The learned advocate for the State opposes the prayer for anticipatory bail. It is submitted that the petitioner has managed to get the fraudulent deed executed by impersonating the original owner in the year 2018 when, in

fact, the original owner died in the year 2000. The defacto complainant purchased the property from the heirs and legal representative of the deceased recorded owner and the case is at the nascent stage of investigation.

After perusing the case diary, which contains the respective deeds in relation to the same property, we feel that it is not a fit case where the petitioner should get immunity from arrest.

Accordingly, the prayer for anticipatory bail of the petitioner is **rejected**.

(Hiranmay Bhattacharyya, J.)

(Harish Tandon, J.)