

24.11.2020
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CRM 7904 of 2020

(Via Video Conference)

In Re: - An application for Anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Uluberia P.S. Case No. 156 of 2019 dated 29.6.2020 under Sections 498A/506/34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

And

In the matter of: **Tushar Kanti Mukherjee & Ors.**

....Petitioners.

Mr. Sabyasachi Chatterjee
Mr. Pintu Karar.

...for the Petitioners.

Mr. Bidyut Kr. Roy
Ms. Rita Datta.

...for the State.

The petitioners undertake to affirm and stamp the petition as per the Rules within one week of resumption of normal functioning of the court. The petition is taken up through video conference on the basis of such undertaking.

The petitioners are the relatives of the husband of the defacto complainant. The petitioners say that they had nothing to do with any torture or insult inflicted on the defacto complainant.

The State refers to a statement of the daughter of the complainant. According to such statement, the complainant was gainfully employed and the husband of the complainant would pressurise the complainant to part with her salary and earnings. Such daughter also claimed that the present petitioners would tease and torment the complainant because she was gainfully employed.

The husband has done what most Indian husbands do. If their wives are more competent, they would make fun of the wives and would

sit back and enjoy the wives' income. However, the allegations against these petitioners are far too general and casual for these petitioners to be taken into custody at this stage. These petitioners are entitled to anticipatory bail, but if charges are pressed against them they ought to attend the court on every date fixed for trial. In the event of any default, the trial court will cancel the bail of the recalcitrant without reference to this Court.

Subject to the above, in the event of arrest, the petitioners will be enlarged on bail on furnishing security of Rs. 10,000/- (Rupees ten thousand) each with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer. The petitioners will abide by the conditions laid down in Section 438(2) of the Code.

CRM 7904 of 2020 is disposed of.

(Sanjib Banerjee, J.)

(Aniruddha Roy, J.)