

08.06.2021
AJ./S.B.,ct 28
Sl no. 03

C.R.M. 952 of 2021

(Via Video Conference)

In Re : An application for anticipatory bail under section 438 of the Code of Criminal Procedure filed on 22.01.2021 in connection with Chinsurah P.S. Case No. 283 of 2019 dated 04.09.2019 under Sections 417/418/420/406/120B/506 of the Indian Penal Code, 1860 (corresponding to G.R. No. 1457/2019).

And

In Re : **Kakali Sil.** petitioner.

Mr. Sekhar Bose, Ld. Sr. Counsel,
Mr. Souvik Mitter,
Ms. Rajnandini Das. ... for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,
Mr. Binay Panda,
Ms. Pushpita Saha. ... for the State.

Mr. P. Kundu.for the de-facto complainant.

This application under Section 438 of the Code of Criminal Procedure has been filed apprehending arrest in connection with Chinsurah P.S. Case No. 283 of 2019 dated 04.09.2019 under Sections 417/418/420/406/120B/506 of the Indian Penal Code, 1860 (corresponding to G.R. No. 1457/2019).

The issue now pending consideration for final report by the learned Chief Judicial Magistrate, Hooghly.

It is submitted by the learned Counsel for the petitioner that the amounts obtained by the petitioner from the de-facto complainant, have been paid back to him.

Counsel for the de-facto complainant present in Court also confirms the same.

However, Counsel for the State, Mr. Mukherjee, has produced the case diary and the papers before this Court. It appears from the said papers that the petitioner is a part of a larger racket of promising jobs to public at large and has been obtaining money from them. It is further stated by Mr. Mukherjee that the petitioner and her associates and family members may also be directly or indirectly linked to other criminal cases involving larger sums of

money obtained from other citizens. It is further submitted by the learned Counsel for the petitioner that an application is pending under Section 438 of the Code of Criminal Procedure challenging the final report now pending before the learned Magistrate.

Having considered the rival contentions of the parties and having seen the records, report and the case diary in the matter and the gravity of the allegation, this Court is not inclined to entertain the application.

Hence, the application for anticipatory bail being C.R.M. 952 of 2021 is, thus, dismissed.

There shall be no order as to costs.

The parties shall act in terms of the copy of the order downloaded from the official website of this Court.

(Biswajit Basu, J.)

(Rajasekhar Mantha, J.)