

15.11.2021
SI. No.89
akd
[ALLOWED]

C. R. M. 7131 of 2021 [via video conferencing]

In Re: An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed on 26.10.2021 in connection with Baguiati Police Station Case No. 517 of 2021 dated 01.10.2021 under Sections 498A/406 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

And

In Re: ***Jasmeet Singh Arora @ Jasmeet Singh & Ors.***

... .. Petitioners

Mr. Arindam Sen

Mr. Sagnik Bhattacharya

Mr. Subhra Banik Chowdhury

... .. for the petitioners

Ms. Kum Kum Mitra

... .. for the State

It is submitted on behalf of the petitioners that the instant case has been lodged in retaliation to a divorce proceeding which was instituted in the year 2020.

Learned advocate appearing for the State opposes the prayer for anticipatory bail and submits that *stridhan* articles have not been recovered.

We have considered the materials on record. Allegations of torture are general and omnibus in nature. There is delay in lodging the FIR. In view of the aforesaid facts, we are of the opinion though custodial interrogation of the accused/petitioners may not be necessary in the facts of the present case, petitioner no.1 requires to cooperate with the investigation particularly with regard to recovery of *stridhan* articles, if any.

Accordingly, we direct that in the event of arrest, the accused/petitioners, namely ***(1) Jasmeet Singh Arora @ Jasmeet Singh, (2) Raghubeer Singh @ Raghubir Singh Pahuja, (3) Bhajan Kaur @ Bhajan Kaur Pahuja, (4) Gurpreet Kaur @ Gurpreet Kaur***

Bagga, (5) Harchand Singh @ Harchand Singh Pahuja & (6) Mrs. Palamjeet Kaur @ Mrs. Paramjeet Kaur Chawla, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioner no.1 shall meet the Investigating Officer once in a week until further orders and all the petitioners shall appear before the court below and pray for regular bail within four weeks from date.

The application for anticipatory bail is, thus, disposed of.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)