

20.07.2021
Court No.30
Item No. 06
Krishnendu
Allowed

CRM 8914 of 2020
(Via video Conference)

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure ;

And

In Re : **Rajiv Jindal**

Petitioner

Ms. Manju Agarwal

For the Petitioner

Mr. Sudip Ghosh

Mr. Bitasok Banerjee

For the State

Mr. Sekhar Mukherjee

Mr. Santanu Sett

For the *De facto* Complainant

Apprehending arrest in connection with Sec. 'G' F.I.R. No. 285 dated 12th September, 2019 being G.R. No. 1176 of 2019, Police Station- Hare Street, under sections 419/420/406/506/120(B) of the Indian Penal Code, the petitioner has filed the present application.

Records reveal that by an order dated 8th December, 2020, it was, *inter alia*, directed that the petitioner shall not be arrested in connection with the concerned case for a period of eight weeks from date or until further orders, whichever is earlier, on condition that he shall co-operate with the investigation, in accordance with law.

Ms. Agarwal, learned advocate appearing for the petitioner submits that the petitioner has complied with the conditions, as incorporated in the order dated 8th December, 2020. The matter pertains to a business transaction and the allegations levelled against the petitioner are absolutely unfounded.

Mr. Ghosh, learned advocate appearing for the State, submits that subsequent to the order dated 8th December, 2020, two notices under section 41A were issued to the petitioner. However, the petitioner belatedly appeared before the authorities and submitted a reply in the month of July, 2021 stating, *inter alia*, that he would co-operate with the investigation. Let the report of the Investigating Officer, as filed, be kept on record.

Mr. Mukherjee, learned advocate enters appearance on behalf of the *de facto* complainant.

Having heard the learned advocates appearing for the respective parties and considering the materials in the case diary, the nature of allegations and since pursuant to the notice issued under section 41A the petitioner met with the Investigating Officer, we are of the opinion that custodial interrogation of the petitioner is not warranted in the facts and circumstances of the case.

Accordingly, we allow this application and direct that in the event of arrest the petitioner, namely, **Rajiv Jindal, shall** be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local 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 shall meet with the Investigating Officer once a month till the completion of investigation.

It is made clear that in the event the petitioner does not meet with the Investigating Officer, as directed, this order of anticipatory bail shall stand cancelled.

The application for anticipatory bail, being CRM No. 8914 of 2020 is, thus, disposed of.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

(Suvra Ghosh, J)

(Tapabrata Chakraborty, J)