

20.01.2021
Sl. No.11
AP/ss

CRM 9 of 2021
(Through Video Conference)

Archana Koley

... Petitioner.

Vs.

The State of West Bengal

... Respondent.

M/s Suman Sengupta,
Debanjan Das and
Sumitava Chakraborty, Advocates

...for the petitioner present in Court.

M/s Nilay Chakraborty and
Sourav Ganguly, Advocates

...for the respondent present in Court.

The present application has been filed by the petitioner seeking pre arrest bail in Dinhata Women Police Station Case No. 108 of 2020 dated 17.12.2020 registered under Section 498A of the Indian Penal Code read with Sections 3/4 of the Dowry Prohibition Act.

The learned counsel for the petitioner submitted that the petitioner in the present case is mother-in-law of the complainant wife. There is no specific allegation in the complaint against the present petitioner.

On the other hand, the learned counsel for the respondent submitted that being the family member of husband of the complainant wife the entire family was harassing the complainant wife.

As there are no specific allegations against the petitioner in the present case, we find it to be a fit case to grant pre arrest bail to the petitioner.

Accordingly, we direct that in the event of arrest, the petitioner be released on bail upon furnishing of bail bonds to the satisfaction of the arresting officer. The petitioner shall be bound by the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

The present petition is disposed of accordingly.

Considering the fact that it is a matrimonial dispute, effort should be made to resolve the same. The couple has been directed to appear before the Mediation Centre, Cooch Behar to make efforts to resolve the dispute.

In case presence of the petitioner is also required to resolve the disputes between the couple, she shall appear before the Mediation Centre at Cooch Behar, as and when directed.

Copy of the order be sent to the Member Secretary, District Legal Services Authority, Cooch Behar.

(Rajesh Bindal, J.)

(Saugata Bhattacharyya, J.)