

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION
(Via Video Conference)**

CRM 603 of 2021

In Re: An application under Section 438 of the Code of Criminal Procedure in connection with Mekhliganj Police Station Case No. 383 of 2020 dated 16.12.2020 under Section 498A of the Indian Penal Code read with Sections 3 & 4 of the Dowry Prohibition Act.

In the matter of : **Joydip Paswan @ Joydeep Paswan**
..... petitioner

Ms. Madhushri Dutta

....For the petitioner

Mr. Arun Kumar Sarkar

Ms. Namrata Das

.....For the State

The petitioner/husband is apprehending arrest in connection with Mekhliganj Police Station Case No. 383 of 2020 under reference for the alleged commission of offence under Section 498A of the Indian Penal Code read with Sections 3 & 4 of the Dowry Prohibition Act.

It is pointed out by learned counsel for the petitioner that his wife, the de-facto complainant, due to misunderstanding, had lodged the complaint against the petitioner and other in laws. Now, understanding has been arrived and they have restituted their conjugal right and are leading happy married life which fact is reflected from the written statement by both husband and wife placed at page 15 of this petition.

Mr. Arun Kumar Sarkar, learned counsel representing the State contends that some of the accused persons have been

admitted on bail by the learned court below and raises no objection to admit the petitioner on bail.

In order to allow the parties to maintain spontaneous marital relationship, we are inclined to allow the petitioner on anticipatory bail. Accordingly, we direct that in the event of arrest, the petitioner namely, **Joydip Paswan @ Joydeep Paswan** shall be released on bail upon furnishing a bond of Rs.5,000/- (Rupees Five thousand) only with two sureties of like amount each, one of whom must be local, to the satisfaction of the learned Additional Chief Judicial Magistrate, Mekhliganj, District Cooch Behar and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

Thus, CRM 603 of 2021 is allowed and disposed of.

(Saugata Bhattacharyya, J.)

(Shivakant Prasad, J.)