

11.03.2022

Serial no. 01

Dd

CRM 570 of 2021

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Hare Street** Police Station Case No. **269** of **2020** dated **13.12.2020** under Sections **193 /199 /200 /209 /418 /406 /465/ 466/467/468/471/120B** of the Indian Penal Code [Corresponding to GR(s) Case No.**1371/2020**]

-And-

In the matter of : **Sri Ajay Kumar Singhania & Anr.**

... .. Petitioners

Mr. Rajdeep Majumder,
Mr. Pritam Roy,
Mr. Moyukh Mukherjee,
Ms. Radhika Agarwal, Advocates
... .. For the Petitioners

Mr. Saswata Gopal Mukherjee, Ld. PP
Mr. Swapan Banerjee, sr. Govt. Adv.
Mr. Suman De, Advocates
... ..For the State

Mr. Ayan Bahttacharjee,
Ms. Shreeparna Das, Advocates
.. ...For the de facto complainant

Memos filed in Court be taken on record.

The application for anticipatory bail is taken up for consideration subsequent to order dated March 2, 2022. Learned Public Prosecutor submits that the specimen signatures of the petitioners need to be taken while in custody. Consequently, the petitioners be allowed to be taken in custody at least to the extent of taking their specimen signatures in terms of Section 311A of the Criminal Procedure Code, 1973.

Learned advocate appearing for the petitioners submits that the original document was seized by the police. The petitioners are not objecting to their signatures being taken by the Investigating Officer. The Court should accord sufficient protection to the petitioners so that they are not arrested. He submits that the petitioners are ready and willing to submit their specimen signatures with the Investigating Officer and their signatures so submitted may be deemed to be taken in compliance of Section 311A of the Criminal Procedure Code, 1973.

State and the de facto complainant are represented. Learned advocate appearing for the de facto complainant adopts the submissions made on behalf of the learned Public Prosecutor.

Considering the gravity of the offence and the involvement of the petitioners therein and considering the fact that there subsists an interim protection in favour of the petitioners and considering the fact that the police seized the offending document and considering the fact that there are proceedings pending before the National Company Law Tribunal (NCLT) where the offending document is also an issue and considering the fact that the petitioners are ready and willing to submit their specimen signatures in compliance of Section 311A of the Criminal Procedure, 1973, we confirm the interim protection granted in favour of the petitioners on March 24, 2021.

Accordingly, we are inclined to grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall 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 be subject to the conditions as laid down under Section 438(2) of the Code of Criminal

Procedure, 1973 and on further condition that the petitioners shall appear before the Court below and pray for regular bail within a period of four weeks from date and also subject to the petitioners providing their specimen signatures before the Investigating Officer in terms of Section 311A of the Criminal Procedure Code, 1973 and on further condition that the petitioners shall meet the Investigating Officer once in a month till completion of investigation.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM 570 of 2021 is **disposed of**.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)