

06.07.2022
Serial no.28
Aloke

CRM (DB) 970 of 2022

In re : An application under Section 439(2) of the Code of Criminal Procedure.

In the matter of : Dinesh Chandra Mondal

... .. Petitioner

Mr. Safdar Azam, Advocate

... ..For the petitioner

Mr. Saibal Bapuli, Id. APP

Ms. Sayanti Santra, Advocate

... .. For the State

Mr. Rajdeep Banerjee, Advocate

Ms. Aafreen Perveen, Advocate

Ms. Sabari Saha, Advocate

... For the opposite party no. 2

Petitioner prays for cancellation of the order granting anticipatory bail to the opposite party by Order No. 3 dated 11.03.2022 passed in Criminal Misc. Case No. 81 of 2022.

Learned Advocate appearing for the petitioner submits that the learned Court failed to take the gravity of the offence and the involvement of the opposite party therein into consideration. Learned Court proceeded mainly on the basis of the compliance of Section 41 A of notice by the private opposite party.

Report filed in Court be taken on record.

State and the private opposite party are represented. The police case relates to a complaint of consignment of goods and failure of the private opposite party to pay for the same. There is an element of civil dispute involved.

The learned Judge proceeded on the basis of the complaint against the private opposite party, materials in the case diary and the conduct of the private opposite party in responding to the notice under Section 41A of the Code of Criminal Procedure.

We find no ground to interfere with the order granting anticipatory bail to the private opposite party.

CRM (DB) 970 of 2022 is rejected.

(Debangsu Basak, J.)

(Bibhas Ranjan De, J.)