

16.08.2022
tkm/ct 28
sl no. 59

C.R.M. (DB) 2245 of 2022

In Re : An application for cancellation of bail under section 439 (2) of the
Code of Criminal Procedure

And

In Re : Victim (xx) petitioner

Mr. M Gomes

..... for the petitioner

Mr. Robiul Islam

Ms. Pramita Banerjee

..... for OP no. 2

Mr. Swapan Banerjee

Ms. Purnima Ghosh

..... for the State

Petitioner prays for cancellation of bail granted to opposite party no. 2 on the ground that he had misused his liberty and had threatened her.

Learned counsel appearing for the opposite party no. 2 denies and disputes such allegation.

We have considered materials on record. There was an altercation between the petitioner and opposite party no. 2 on 16.4.2022. A general diary was registered and proceeding under section 107 Cr.P.C was instituted. Though this court does not appreciate conduct of opposite party no. 2, but keeping in mind the fact that the instant case arose out of a romantic relationship between two young persons, we do not wish to cancel the bail. We propose to give one last opportunity to the opposite party no. 2 and subject him to strict conditions in order to prevent recurrence of any untoward incident and to instill confidence in the mind the petitioner-de facto complainant and other witnesses.

Opposite party no. 2 while on bail shall not enter the district of Murshidabad except for purpose of attending court proceeding and shall provide address where he shall presently reside to the investigating officer as well as to the court below and shall report to the officer in charge of the P.S concerned within whose jurisdiction he shall presently reside once in a week until further orders.

With these directions CRM (DB) 2245 of 2022 is disposed of.

(Ananya Bandyopadhyay, J.)

(Joymalya Bagchi, J.)