

16.03.2023
Serial no. 30
[Dd]
(Anticipatory bail)
Allowed)

CRM (A) 1099 of 2023

In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Baruipur** Police Station Case No. **1890** of **2022** dated **14.12.2022** under Sections **420, 467, 468, 469, 471** and **120B** of the IPC.

-And-

In the matter of : **Nirmal Bhattacharya**
... .. Petitioner

Mr. Mritunjoy Chatterjee,
Mr. Lakshminath Bhattacharya, Advocates
... .. *For the Petitioner*

Mr. Neguive Ahmed, APP
Mr. Iqbal Kabir, Advocates
... ..*For the State*

Mr. Angsuman Chakraborty,
Mr. S. S. Saha,
Mr. Pradyut Ghosh, Advocates
.. ..*For the de facto complainant*

The police complaint revolves around share transfer in respect of a company incorporated under the provisions of the Company Act, 1956.

Shares of the de facto complainant stood transferred in favour of the petitioner in the year 2018.

De facto complainant claims that his signature was forged in the share transfer agreement.

Assuming that the signature was forged, the de facto complainant as the shareholder of the company was required to take steps in the year 2018 itself. The police complaint is dated December 14, 2022.

In such circumstances, we are inclined to grant anticipatory bail to the petitioner.

Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), 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 petitioner shall report before the Investigating Officer as and when called for till the conclusion of the investigation and on further condition that the petitioner shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

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

CRM (A) 1099 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)