

31.03.2023
tkm/ct 28
sl no. 65

C.R.M. (DB) 1292 of 2023

In Re : An application for bail under section 439 of the Code of Criminal Procedure in connection with Asansol Women P.S case no. 14 of 2023 dated 26.2.2023 under sections 498A/323/313/307/377/354B/406/504/506/34 of the IPC and sections 3 and 4 of the DP Act and

Allowed

In Re : Manjari Rungta

..... petitioner

Mr. Milon Mukherjee, Sr. Adv
Mr. Sandipan Ganguly, Sr. Adv
Mr. Sabyasachi Banerjee
Mr. D Dutt
Mr. S Saha
Ms. N Ahmed

..... for the petitioner

Mr. S G Mukherjee, Ld PP
Mr. Joydeep Roy
Ms. Sujata Das

..... for the State

Mr. Debasish Roy
Md. Sabir Ahmed
Mr. A Ghatak
Mr. F Imam

..... for the de facto complainant

Petitioner is in custody for 31 days. She submits she is the mother-in-law of the housewife. She has been falsely implicated. Matrimonial dispute has been amicably resolved as parties propose to withdraw the allegations and proceed for mutual divorce.

Learned lawyer for the State produces the case diary.

Learned lawyer for the de facto complainant does not oppose the submission that the parties intend to withdraw allegations and proceed to dissolve the marriage through mutual consent.

We have considered the materials on record. Case arose out of a matrimonial dispute. Petitioner is the mother-in-law of the

victim lady. Allegation of miscarriage relates to 2018 and FIR was lodged in 2023. Other allegations against her are general and omnibus. Both parties submit they wish to withdraw the allegations and proceed for divorce through mutual consent.

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

Accordingly, the petitioner be released on bail upon furnishing a bond of Rs. 10,000/- with two sureties of like amount each, one of whom must be local to the satisfaction of the learned CJM, Paschim Bardhaman on condition that the petitioner shall appear before the trial court on every date of hearing and shall not intimidate witnesses or tamper with evidence in any manner whatsoever.

In the event she fails to appear before the trial court without justifiable cause, the trial court shall be at liberty to cancel her bail automatically without reference to this court.

The application being CRM (DB) 1292 of 2023 is disposed of.

(Ajay Kumar Gupta, J.)

(Joymalya Bagchi, J.)