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04.05.2023
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C.R.M.(SB) 66 of 2023

In Re: An application under Section 439(2) of the Code of Criminal Procedure, 1973;

Jhilik Singha
Versus
The State of West Bengal and another

Ms. Farnaz Nasim.
...for the petitioner.

Mr. Arijit Ganguly,
Ms. Debjani Sahu.
...for the State.

The present application has been preferred for cancellation of bail. Case has been registered under the provisions of Sections 498A/406/506/34 of the Indian Penal Code read with Sections 3 and 4 of the Dowry Prohibition Act.

By an earlier order, this Court directed the Investigating Officer to appear and explain as to why efforts were not taken for recovery of the stridhan articles. The Investigating Officer has produced a communication by the petitioner/de facto complainant which reflects that she sought for time due to her illness to accompany the Investigating Officer for recovery of the stridhan articles. Let the same be kept with the record.

I find that the reasons so assigned by the Investigating Officer is just and sufficient. Petitioner after recovery from illness would inform the Investigating Officer for recovery of the stridhan articles. The Investigating Officer would prior to submission of charge-sheet take steps for recovery of the stridhan articles.

Considering the circumstances of this case, the order for bail so granted is not interfered with. If there is non-cooperation from the side of the accused persons in course of execution of recovery of stridhan articles, the same should be brought to the notice of the learned ACJM, Barrackpore, North 24 Parganas. The learned ACJM, Barrackpore, North 24 Parganas under such circumstances may pass stringent orders, if he deems fit and proper. No interference is made in this case at this stage.

Accordingly, CRM (SB) 66 of 2023 is disposed of.

The Investigating Officer of the case is present before this Court. His further appearance before this Court is dispensed with.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)