

25.07.2023
SL. 5
Court No. 29
Sourav
(Allowed)

C.R.M. (A) 2449 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Raniganj** Police Station Case No. **198** of **2023** dated **16.05.2023** under Sections **498A/307/406** IPC read with Sections **3/4** DP Act.

And

In the matter of: **Tuhin Banerjee**

....petitioner.

Ms. Minoti Gomes
Mr. Suddhadeb Adak
Ms. Arpita Mondal

...for the petitioner.

Mr. Pravas Bhattacharya
Mr. M.F.A. Begg

...for the State.

Mr. Anand keshari
Ms. Sutapa Ghosh (Bose)

... for the defacto complainant.

1. Heard learned Counsel for the parties.
2. Considered the materials placed by them including the statement of the parents of the victim recorded under Section 161 Cr.P.C.
3. Such a situation might also have been self-created taking into consideration the nature of dispute and the anxiety on the part of the victim's family in such case to rope in all the family members and relatives of the husband.
4. Investigation is stated to have progressed substantially but we are surprised to find that the I.O. has not yet recorded the statement of the informant.
5. Regard being had to the facts and submission, factum of permanent residence of the petitioner, nature of allegation, the fact that there is always hope of compromise in

matrimonial disputes and such compromise is always in the interest of the family and society and substantial progress in investigation, it is directed that the petitioner shall be released on bail in the event of his arrest by the Arresting Officer in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

6. The petitioner is directed to appear before the I.O. within 21 days from today along with a server copy or certified copy of this order.
7. Accordingly, the prayer for the anticipatory bail is allowed.
8. The application being **CRM (A) 2449 of 2023** is disposed of.
9. The I.O. is hereby directed to act upon the server copy of this order, if required.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

