

08.08.2023
(D/L 28)
Ct. No.29
Allowed
(SKB)

CRM (A) 2870 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Dankuni P.S. Case No.72 of 2023 dated 13.03.2023 under Sections 306/34 of the Indian Penal Code.

In the matter of : Smt. Ratna Swarnakar and another
... Petitioners

Mr. Kaushik Chandra Gupta,
Mr. Iqbal Hussain
... for the petitioners

Mr. Joydeep Roy,
Mr. Amanul Islam
... for the State

1. Heard the learned Counsel for the parties.
2. The deceased is the son-in-law of the present petitioners.
There is allegation to the effect that the petitioners' daughter used to frequently demand money from her husband and forcing him to transfer the property in the name of her parents.
3. Be that as it may, the charge-sheet having already been filed, there is no question of custodial interrogation of the present petitioners when the death of the deceased is admittedly suicidal.
4. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation and completion of investigation, it is directed

that each of the petitioner shall surrender before the learned ACJM, Srerampore, Hooghly in the G.R. case arising out of the aforesaid P.S. case within 15 days from today. On their surrender and application for bail, they shall be released on bail by the aforesaid Court on such terms and conditions as deemed just and proper in the facts and circumstances of the case.

5. Accordingly, the prayer for the anticipatory bail is allowed.
6. The application being CRM(A) 2870 of 2023 is disposed of.
7. The learned court below is hereby directed to act upon the server copy of this order.
8. Before parting with the order, we direct the Registry to check every petition filed under Sections 438 and 439 Cr.P.C. whether G.R. case number and the court in which the case is pending is furnished or not. If such information is not furnished, the petition under Sections 438 and 439 Cr.P.C. shall be returned as defective. Registry is directed to follow this instruction very scrupulously. The extract of this order be supplied to the concerned department.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)