

18.09.2023
M/L 149
Ct. No.29
(Allowed)
(SKB)

CRM (A) 3756 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kotwali P. S. Case No.312 of 2023 dated 09.04.2023 under Sections 420/468/506/34 of the Indian Penal Code.

In the matter of : Smt. Ananya Dutta Das and another
... Petitioners

Mr. Goutam Kumar Das,
Mr. Aniruddha Bhattacharyya,
Mr. Indranuj Dutta,
Mr. Atanu Basu

... for the petitioners

Mr. Swapan Banerjee,
Ms. Purnima Ghosh

... for the State

1. Heard learned counsel for the parties.
2. Considered the materials placed before us. The informant is the sister of the petitioner no.2 and the petitioner no.1 is the wife of the petitioner no.2. There was a suit between the parties which, on the basis of compromise, was placed in the Lok Adalat and necessary award was passed. Eight years thereafter the informant brought a civil suit against others including the petitioners on the ground that the signature in the compromise petition before the Lok Adalat was forged. The suit was dismissed on the ground of limitation and maintainability. Then the matter was brought to this court on first appeal, which was also dismissed. Thereafter, the present FIR has been

filed by the informant making some allegations of forgery of her signature in the compromise deed and other various allegations.

3. Regard being had to such facts and submissions, factum of permanent residence of the petitioners, nature of allegation, especially the genesis of the events and substantial progress in investigation, it is directed that each of the petitioner shall be released on bail by the Arresting Officer in the event of their arrest in the aforesaid P.S. case on such terms and conditions as deemed just and proper in the facts and circumstances of the case.
4. Accordingly, the prayer for the anticipatory bail is allowed.
5. Within 21 days from today petitioners are directed to appear before the I.O. along with a server copy or certified copy of this order.
6. The applications being CRM(A) 3756 of 2023 is disposed of.
7. The Arresting Officer is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)