

19.09.2023
(M/L 189)
Ct. No.29
Allowed
(SKB)

CRM (A) 3797 of 2023

In Re:- An application for anticipatory bail under section 438 of the Code of Criminal Procedure in connection with Kandi P.S. Case No.166 of 2023 dated 31.03.2023 under Sections 498A/306/34 of the Indian Penal Code (G.R. No.540 of 2023).

In the matter of : Panchu Hazra

... Petitioner

Md Jannat Ul Firdous

... for the petitioner

Mr. Saswata Gopal Mukerji, Id. PP
Mr. Aniket Mitra,
Ms. Jonaki Saha

... for the State

1. Learned counsel for the petitioner is allowed to make necessary correction in the cause title so far as the competent court is concerned.
2. Heard learned advocates for the parties.
3. Though the investigation was initiated for offence under Sections 498A/304B/302/34 of the IPC, the charge-sheet is stated to be filed under Sections 498A/306/34 IPC as the deceased wife is alleged to have committed suicide after 13 years of marriage.
4. The present petitioner is the mother-in-law of the deceased. There is allegation against the petitioner so far as torture and harassment of the deceased is concerned but there is no proximate relationship between such

alleged action of the petitioner with the commission of the suicide by the deceased.

5. Regard being had to such facts and submissions, factum of permanent residence of the petitioner, nature of allegation, nature of evidence and completion of investigation, it is directed that the petitioner shall surrender before the learned ACJM, Kandi, Murshidabad in the G.R. Case No.540 of 2023 arising out of the aforesaid P.S. case within 15 days from today. On her surrender and application for bail, she 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.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM(A) 3797 of 2023 is disposed of.
8. The learned court below is hereby directed to act upon the server copy or certified copy of this order.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)