

04.10.2023
SL. 41
Court No. 29
Suvayan
(Allowed)

C.R.M. (A) 4036 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure filed in connection with **Domjur** Police Station Case No. **538 of 2023** dated **31.07.2023** under Sections **498A/325/307/34** of the IPC and Sections **3 /4** of the D.P. Act.

And

In the matter of: **Sikha Mukherjee**

....petitioner.

Mr. Amitabha Karmakar
Mr. Asish Dutta

...for the petitioner.

Mr. Imran Ali
Ms. Debjani Sahu

...for the State.

1. Heard learned Counsel for both the parties.
2. The present petitioner is the aunt-in-law of the victim wife.

On perusal of the entire materials of the C.D., we found that the main allegation is against the husband who is stated to have been enlarged on regular bail. There are some omnibus allegations as against the present petitioner.

3. Regard being had to such facts and submissions, 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 by the Arresting Officer in the event of her 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. The concerned Arresting Officer is hereby directed to act upon the server copy of this order.

5. Within 21 days from today the petitioner shall appear before the I.O. alongwith a server copy/certified copy of this order. If server copy is supplied, learned I.O. shall act upon that.
6. Accordingly, the prayer for the anticipatory bail is allowed.
7. The application being CRM (A) 4036 of 2023 is disposed of.

(Chitta Ranjan Dash, J.)

(Partha Sarathi Sen, J.)

