

**IN THE HIGH COURT AT CALCUTTA  
CRIMINAL MISCELLANEOUS JURISDICTION  
APPELLATE SIDE  
(CIRCUIT BENCH AT JALPAIGURI)**

17.03.2023

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Ct. No. 29  
**CHC**  
Allowed

**C.R.M.(A) 191 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Siliguri** Police Station Case No. **310** of **2022** dated **23.03.2022** under Sections **406/420/120B** of the Indian Penal Code, 1860.

And

In the matter of : Roshan Lal Agarwala & ors.

..... petitioners

Mr. Aniruddha Mitra,  
Mr. Gaurav Purkayastha,  
Mr. Anirban Ghosh

....for the petitioners

Mr. Aditi Shankar Chakraborty,  
Mr. Ujjwal Luksom

....for the State

The police complaint is dated March 23, 2022. The police complaint was lodged at the behest of State Bank of India.

Apparently, the State Bank of India entered into an one time settlement with the borrowers on March 1, 2023. The amount agreed was fixed at Rs.7.75 Crores and a sum of Rs.1,16,25,000/- was paid towards part settlement of such dues. The balance amount is scheduled to be paid before March 31, 2023.

Learned advocate appearing for the State submits that the petitioners complied with the notice under Section 41A of the Criminal Procedure Code.

In view of the development subsequent to the filing of the police complaint particularly entering into of the one time settlement and the part performance thereof, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973. Petitioner no.1, namely, Roshan Lal Agarwala and petitioner no.3, namely, Dayal Agarwala will report before the Investigating Officer once in a month till conclusion of investigation. Petitioner no.2, namely, Sushila Devi Agarwala will cooperate with the investigation and on condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accuseds and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

This application for anticipatory bail is, thus, allowed.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**