

27.09.2023
Court No.1
SL No.75
pk/AP

**HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI**

CRM(DB) 400 of 2023

In Re: - An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure.

And

In the matter of: **Smt. Sarda Lama**

....Petitioner.

Mr. Sudipta Majumdar
Mr. Shubhankar Dutta
Mr. Sourav Kar

...for the petitioner.

Mr. Abhijit Sarkar
Ms. Sukana Adhikari

...for the State.

Mr. Arjun Chowdhury
Mr. Chottu Roy
Ms. Pratusha Dutta Chowdhury

...for the Opposite Party Nos.2 to 3.

1. This is an application for cancellation of bail and/or setting aside an order of granting anticipatory bail to the accused by order dated 3rd June, 2023 passed by the Sessions Judge, Darjeeling. The FIR has been registered under section 406 and 420 of the IPC.

2. There are civil disputes between the parties with regard to purchase and delivery of land. Apparently, the land has been sold over and over again and the petitioner claimed to have been cheated.

3. This court is of the view that there is no infirmity in the order granting anticipatory bail. There are no changed circumstances to warrant cancellation or interference with the said order.

4. This Court, however, directs the Investigating officer of the Prodhan Nagar Police Station to complete the investigation into FIR No. 338 o 2023 mandatorily and positively within a period of one month from 10th May, 2023 and file final report before the jurisdictional magistrate.

5. With the aforesaid observations, the application for cancelation of bail is disposed of.

(Rajasekhar Mantha, J.)

(Supratim Bhattacharya, J.)