

**CIRCUIT BENCH OF CALCUTTA HIGH COURT  
AT JALPAIGURI  
APPELLATE JURISDICTION**

5.09.2023  
Item no.17  
Court No.01  
P.P./S.D.

**CRM (A) 687 of 2023**

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure;

And

**In Re: Ajal Ali @ Ajad Ali @ Azad Ali**  
.... petitioner

Ms. Madhushri Dutta  
....for the petitioner

Mr. Kallol Acharjee,  
Mr. Chattu Roy  
..... for the State

Mr. Anirban Banerjee  
Mr. Debasish Mukhopadhyay  
Ms. Sohini Guha Roy  
..for the defacto complainant

Apprehending arrest in connection with Kulchibari Police Station Case No.16 of 2021 dated 11.04.2021 under Sections 498A/307/34 of the Indian Penal Code, 1860, the present application has been preferred.

Ms. Dutta, learned advocate appearing for the petitioner submits that the dispute between the petitioner and the Victim Lady (VL) has been amicably settled. The petitioner and the VL are now residing together and are leading a peaceful conjugal

life. Therefore, custodial interrogation of the petitioner in relation to the alleged offences may not be necessary.

Mr. Banerjee, learned counsel appearing on behalf of the defacto complainant/Victim Lady submits that the dispute between his client and the petitioner has been amicably settled. He makes such submission in the presence of the defacto complainant. An Affidavit filed by the VL is also retained with the records.

Mr. Acharjee, learned counsel appearing on behalf of the State submits that the chargesheet has already been filed in the instant case.

Considering the submissions of the parties and the materials placed on record, this court is of the view that custodial interrogation of the petitioner may not be necessary.

Accordingly, this Court allows the prayer for anticipatory bail of the petitioner.

This Court directs that in the event of arrest, the petitioner namely, **Ajal Ali @ Ajad Ali @ Azad Ali**, be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the arresting officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

With the above observations and directions, the application for anticipatory bail, being **C.R.M.(A) 687 of 2023** is **disposed of.**

The petitioner shall not induce the witnesses or influence them in any manner or tamper with the evidence.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

**(Lapita Banerji, J.)**

**(Tapabrata Chakraborty, J.)**