

05.07.2024
Court No.29
Item No. 13

Allowed

sg

CRM (A) 576 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with Posta Police Station Case No. 146 of 2023 dated 28.10.2023 under Sections 420/120 of the Indian Penal Code, pending before the learned Additional Chief Metropolitan Magistrate, Calcutta.

And

In Re: **Mrs. Premlata Dahiya**

Petitioner

Mr. Pawan Kumar Gupta
Mr. S. Nesar
Mr. Santanu Sett

For the Petitioner

Mr. Shekhar Barman

For the State

Mr. Sabyasachi Chatterjee
Mr. Pintu Karan
Mr. Akashdeep Mukherjee
Mr. Sabab Uddin Laskar

For the defacto complainant

1. The petitioner is the wife of Jagdish Dahiya against whom allegations have been made that he along with Aditya Dahiya has received a sum over Rs.2.35 crore between 2021-22 as business loan from the de-facto complainant.
2. The learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case.
3. The learned Counsel for the State has produced the case diary, first information report and few bank statements and submits that the petitioner is involved as well.
4. The learned Counsel for the de-facto complainant submits that the de-facto complainant has been cheated.

5. Considering the materials available in the case diary, nature and extent of complicity and involvement of the petitioner in the commission of alleged offence and having regard to the fact that the principal accused has already been enlarged on bail, we are of the view that custodial interrogation of the present petitioner is not necessary.
6. Accordingly, we direct that in the event of arrest the petitioner namely, **Premalata Dahiya**, shall be released on bail upon furnishing a bond of Rs.25,000/-, with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and the petitioner shall cooperate with the investigation. The petitioner shall appear before the learned Additional Chief Metropolitan Magistrate, Calcutta, in connection with G.R. Case No. 1142 of 2023 within two weeks from date.
7. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
8. CRM (A) 576 of 2024 is, thus, disposed of.
9. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Soumen Sen, J.)

(Uday Kumar, J.)