

18.04.2024

DL-13
Court No.29
(AD)
(Rejected)

C.R.M. (A) 1133 of 2024

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **BurraBazar** Police Station FIR No. **309 of 2023** dated **27.11.2023** under Sections **420/406/120B** of the Indian Penal Code, 1860. (G.R. Case No.1245 of 2023)

And

In the matter of: **Surjit Banthia**

....petitioner.

Mr. Raunak Kedia
Mr. Agniva Banerjee

... for the petitioner.

Mr. Rudradipta Nandy, Ld. APP

... for the State.

Mr. Pawan Kumar Gupta
Mr. Karan Daga

... for the de facto complainant.

1. Petitioner prays for anticipatory bail.
2. State and the de facto complainant are represented.
3. Apparently, there was a transaction between the petitioner and the de facto complainant with regard to goods. A cheque was issued in respect of such transaction for a value of Rs.32 lacs and odd. Cheque so issued was dishonoured when presented. Issuance of a cheque tends to admit the liability. Such amount remains unpaid. Receipt of goods by the petitioner from the de facto complainant remains undenied.
4. In such circumstances, role of the petitioner requires investigation. Enlarging the petitioner on anticipatory bail will be inimical to such investigation.
5. Therefore, we are unable to grant anticipatory bail to the petitioner.
6. Accordingly, the prayer for anticipatory bail of the petitioner is

rejected.

7. **C.R.M. (A) 1133 of 2024** is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)