

12.04.2024
tkm/ct 28
sl no.141

C.R.M. (DB) 1088 of 2024

In Re : An application under section 439(2) of the Code of Criminal Procedure

And

In Re : XXX (victim girl) petitioner

Mr. Samrat Choudhury

..... for the petitioner

1. We have heard learned lawyer for the petitioner-victim. He contends that there was a romantic relationship between her and opposite party no. 2. They married each other. Presently, opposite party no. 2 is not accepting her as his wife unless and until she withdraws the criminal prosecution. Hence, she prays for cancellation of bail.

2. We are of the opinion petitioner is at liberty to depose before the trial court in accordance with law.

3. In the event petitioner is subjected to threat or coercion, it shall be open to the petitioner to canvass such issue before the trial court and if the trial court is satisfied with regard to its credibility, the said court shall pass appropriate orders for protecting the petitioner in accordance with law.

4. With this observation, application for cancellation of bail is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)