

28.02.2024
Item No.50
Ct. No. 29
CHC

C.R.M.(DB) 1418 of 2022

In Re:- An application under Section 439(2) of the Code of Criminal Procedure, 1973.

And

In the matter of : Hou Yu Fang & anr.

..... petitioners

Mr. Ayan Bhattacharjee,
Mr. Biswajib Ghosh,
Mr. Sumitava Chakraborty
....for the petitioners

Mr. Neguive Ahmed, Ld. A.P.P.
Mrs. Amita Gaur
....for the State

Mr. Debajyoti Deb,
Mr. Shyamal Mondal,
Ms. Somdyuti Parekh,
Mr. Ayan Mitra
....for the opposite party no.2/
private respondent

Affidavits filed in Court be taken on record.

Petitioners seek cancellation of order granting anticipatory bail dated May 19, 2022 passed by the jurisdictional Court in Criminal Misc. Case No.171 of 2022.

Learned advocate appearing for the petitioners submits that, the learned Judge took into account that the de facto complainant did not approach any forum for quashing of a criminal case filed by the accused before the Bowbazar Police Station. He submits that, such a fact cannot be a ground for grant of anticipatory bail. Moreover, he points out that, the police filed charge-sheet against the private respondent and

that, the allegations as against the private respondent stands fortified.

State and the private respondent are represented.

We considered the materials made available on record.

Jurisdictional Court granted anticipatory bail by the order dated May 19, 2022 passed in Criminal Misc. Case No.171 of 2022.

Police completed investigation in the police case and submitted charge-sheet therein.

Learned Judge took into account the fact that the allegation was that the private respondent mentioned a gentleman as her husband in the application of voter card, Aadhar card and passport.

Learned Judge found that allegation related to documents and therefore did not find necessity of custodial interrogation of the private respondent before us.

We find no perversity in the impugned order warranting interference by us by cancelling such order.

CRM(DB) 1418 of 2022 is disposed of without any order as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)