

16.08.2024
Court No.29
Item No. 32

Allowed

sg

CRM (A) 2821 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure read with Section 482 of the BNSS, in connection with Baguihati Police Station Case No. 229 of 2024 dated 15.04.2024 under Sections 498A/307/34 of the Indian Penal Code, pending before the learned Chief Judicial Magistrate, Barasat, North 24 Parganas.

And

In Re: **Vineet Jaishawal @ Jaiswal**

Petitioner

Mr. Debasish Kar

For the Petitioner

Mr. Dattatreya Dutta

For the State

Mr. Rishav Kr. Singh

Ms. Kushi Gupta

Mr. Soumalya Dutta

For the de-facto complainant

1. The learned Counsel for the petitioner submits that due to matrimonial discord, a false complaint has been lodged against the petitioner.
2. The learned Counsel for the State and the de-facto complainant have opposed the prayer for anticipatory bail.
3. Considering the materials available in the case diary, the nature and extent of complicity of the petitioner in the commission of the alleged offence and the nature of injury as revealed from the injury report, we are of the view that custodial interrogation of the present petitioner is not required.
4. Accordingly, we direct that in the event of arrest the petitioner namely, **Vineet Jaishawal @ Jaiswal**, shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, one of whom

must be local, to the satisfaction of Arresting Officer, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure corresponding to Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita. The petitioner shall meet the I.O. once in a week till the submission of final report. The petitioner shall appear before the learned Chief Judicial Magistrate, Barasat, North 24 Parganas within two weeks from date.

5. In the event the petitioner fails to comply with any of the conditions as mentioned above, the trial court shall be at liberty to cancel their bail in accordance with law without any further reference to this Court.
6. Considering the nature of the dispute, we also feel that the parties may approach the Secretary, Calcutta High Court Legal Services Committee for referring the matrimonial dispute to mediation with a copy of this order.
7. In the event any such request is made by either of the parties, the Secretary, Calcutta High Court Mediation Committee shall take appropriate steps in this regard.
8. Accordingly, the prayer for anticipatory bail of the petitioner is allowed.
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.)