

07.02.2024

Serial no. 31
Anticipatory Bail

[Allowed]

Dd

CRM (A) 5551 of 2023

*In re : An Application for **Anticipatory Bail** under Section **438** of the Code of Criminal Procedure in connection with **Chinsurah** Police Station Case No. **537** of **2023** dated **November 14, 2023** under Sections **420/406/467/468/471/120B/34** of the Indian Penal Code, 1860.
(G.R. Case No. 3225/2023)*

-And-

In the matter of : **Goutam Yadav & Ors.**
... .. **Petitioners**

*Mr. Tapas Kr. Ghosh,
Mr. Tanmay Chowdhury, Advocates
... .. For the Petitioners*

*Mr. Debasish Roy, PP
Mr. Anand Keshari, Advocates
... ..For the State*

*Mr. Kali Kinkar Dey, Advocate
... ..For the de facto complainant*

Petitioners pray for anticipatory bail.

Learned advocate appearing for the petitioners submits that civil disputes are involved. The police complaint revolves around a development agreement.

State and the de facto complainant are represented.

Learned advocate for the de facto complainant submits that under the development agreement, the owners were to be allotted two flats. Possession of one flat was given while the other flat was never given. On inquiry, the de facto complainant found that the signatures appearing in the original sanctioned plan was forged.

Police complaint revolves around a development agreement. The allegations are directed against documents. Civil disputes are involved. Need for custodial interrogation is not felt.

In such circumstances, we grant anticipatory bail to the petitioners.

Accordingly, we direct that in the event of arrest the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on further condition that the petitioners shall report before the Investigating Officer once in a month till the conclusion of the investigation and on further condition that the petitioners shall appear on every date before the jurisdictional Court on and from the date fixed for appearance of the accused and in default the jurisdictional Court will pass appropriate order to secure the presence of the petitioners in Court including cancelling the anticipatory bail granted without further reference to this Court.

Prayer for anticipatory bail of the petitioners is **allowed**.

CRM (A) 5551 of 2023 is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)