

26.02.2024
DL-44
Court No.29
(AD)
(Allowed)

C.R.M. (A) 5667 of 2023

In Re: - An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Bowbazar** Police Station Case No.**192 of 2023** dated **18.09.2023** under Sections **420/406/506/120B** of the Indian Penal Code, 1860 .(G.R. Case No.716 of 2023).

And

In the matter of: **Ngawang Rapgyal**

....petitioner.

Mr. Shabir Ahmed
Mr. Sayak Ranjan Ganguly
Ms. Srijani Ghosh
Mr. Bengir Khan

...for the petitioner.

Mr. Saibal Bapuli, Ld. APP
Sk. Arif Hossain

... for the State.

Mr. Sabyasachi Banerjee
Mr. Ranajit Royt

... for the de facto complainant.

Apparently, the police complaint revolves around agreements entered into in writing.

There is a mediation process relating to the disputes between the private parties pending in another State.

Learned Advocate for the de facto complainant submits that due to the police complaint lodged by the petitioner before this Court, his client is unable to participate in such mediation proceedings.

State is represented.

Since, there is mediation pending and since, the disputes apparently revolve around documents, we deem it appropriate to grant anticipatory bail to the petitioner.

It is expected that the petitioner will allow the mediation to take place in accordance with law.

Accordingly, we direct that in the event of arrest, the petitioner shall be released on bail upon furnishing a Bond of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties of like amount each, to the satisfaction of the Arresting Officer and subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that the petitioner will report before the Investigating Officer once a fortnight till the conclusion of the investigation and on condition that the petitioner 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 petitioner in Court including cancelling the anticipatory bail granted without further reference to this Court.

Accordingly, the prayer for anticipatory bail of the petitioner is allowed.

C.R.M. (A) 5667 of 2023 is, thus, disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)