

D/L20

17.04.2025
Rohit
ct.no.34

C.R.M. (DB) 916 of 2025

In Re: An application for bail under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023/ Section 439 of the Code of
Criminal Procedure in connection with Haripal Police Station Case
No. 26 of 2025 dated 13.01.2025 under sections 376(2)(n)/506 of
the Indian Penal Code.

And

In Re: **Sumit Halder**

...Petitioner

Mr. Dibyayan Banerji
Mr. Sohom Kumar
Mr. Abhrajit Roy Chowdhury
Ms. Utsa Poddar
Mr. Aayan Biswas

...for the petitioner

Mr. Partha Pratim Das
Ms. Sonali Bhar

...for the State

None appears for the defacto complainant despite service.

The petitioner is in custody for about two months.

Learned counsel for the petitioner submits that the present
complaint is a counter blast of an earlier complaint lodged by the
petitioner against the private opposite party/defacto complainant.

The petitioner is a victim of acid attack by the defacto
complainant.

Learned counsel for the State opposes the prayer.

It appears that an earlier complaint was lodged by the
petitioner against the defacto complainant on 19th February, 2023
wherein charge-sheet has been submitted under sections
448/326A/326B/307 of the Indian Penal Code. It has been alleged
that there was a long standing relationship between the petitioner
and the defacto complainant who is his sister-in-law, out of which

the defacto complainant conceived. The earlier case records that the defacto complainant underwent a miscarriage whereas in the present complaint it is stated that she gave birth to a girl child. The present complaint was lodged on 13th January, 2025. The evidence on record prima facie suggests that there was a consensual relationship between the petitioner and the defacto complainant which led to the defacto complainant becoming pregnant. There was an acid attack upon the petitioner allegedly by the defacto complainant. The present complaint has followed subsequently.

Whether the complaint is a result of a consensual relationship turning sour or whether the petitioner is involved in the alleged offence has to be determined in the light of the evidence at the appropriate stage of the proceeding.

Considering the material on record as well as nature of the offence, this Court is of the view that further detention of the petitioner is not required for the purpose of custodial interrogation and he may be granted bail on stringent conditions.

Accordingly, prayer for bail is allowed.

The petitioner viz., Sumit Halder shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand only), with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned Additional Chief Judicial Magistrate, Chandannagar subject to condition that the petitioner shall remain outside the jurisdiction of Haripal Police Station except for appearing before the Investigating Officer of the case once a week till submission of charge-sheet. He shall furnish the address where he shall presently reside before the learned trial court, the Investigating Officer and the Officer-in-Charge of the concerned police station. He

shall not tamper with evidence and/or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to comply with any of the conditions stated above, the learned Trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The prayer for bail of the petitioner is allowed.

The application for bail being C.R.M. (DB) No. 916 of 2025 is, thus, disposed of.

Urgent certified website copy of this order, if applied for, be given to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)