

21.03.2025
Item No.19
Ct. No. 26
CHC
Rejected

C.R.M.(A) 983 of 2025

In Re:- An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with **Manikchak** Police Station Case No. **561** of **2024** dated **04.08.2024** under Sections **126(2)/115(2)/117(2)/109/3(5)** of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of : Nimai Chowdhuri @ Nimai Chowdhury & Anr.
..... petitioners

Md. Wasim Akram, Advocate
....for the petitioners

Mr. Rudradipta Nandy, Ld. A.P.P.
Ms. Debadrita Mondal, Advocate
....for the State

Ms. Reshmi Khatun, Advocate
...for the de facto complainant

1. Petitioners pray for anticipatory bail.
2. Learned advocate appearing for the petitioners submits that, the dispute between the petitioners and the de facto complainant stands settled.
3. Learned advocate appearing for the de facto complainant submits that, the dispute stands settled and they want to resume their business relationship.
4. In response to the query of a Court as to whether, the police complaint was correct or not the answer is in the affirmative by the learned advocate for the defacto complainant.

5. Learned advocate appearing for the State refers to materials in the Case Diary. He submits that, right eye of the de facto complainant was severely affected in the incident of assault in which, the petitioners participated. He also points out that, coordinate Bench rejected the prayer for anticipatory bail for two of the accused on February 7, 2025 passed in CRM(A) 383 of 2025.
6. Offences alleged as against the petitioners are not compoundable.
7. Coordinate Bench rejected the prayer for anticipatory bail of the coaccused on February 7, 2025 passed in CRM(A) 383 of 2025.
8. Enlarging the petitioners on anticipatory bail on the plea that they entered into settlement with the de facto complainant will send a wrong signal to the society. Alleged settlement was entered into subsequent to the order of rejection.
9. This kind of activity should be actively discouraged.
10. In such circumstances, we are not inclined to grant anticipatory bail to the petitioner.
11. CRM(A) 983 of 2025 is, thus, rejected.

(Debangsu Basak, J.)

(Smita Das De, J.)

