

AD 17
April 23, 2025
Ct. 28
SG

Allowed

CRM(A) 1155 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Hare Street P.S. Case No.62 of 2025 dated 17.03.2025 under Sections 61(2)/336(3)/340(2)/318(4) of the BNS, 2023 and Section 4 of the D.P. Act.

And

In the matter of: *Shyamali Das @ Sukul and another*
... *petitioners*

Mr. Ibrahim Shaikh
Mr. Benazir Shaikh

... for the petitioners.

Mr. Sumon De
Ms. Ankita Paul

... for the State

Ms. Sayani Ahmed
Mr. Purnendu Shekhar Ghosh
... for the de facto complainant

Report filed by the State is taken on record.

Learned counsel appearing for the petitioners submits that the deed in question was a deed of gift and without any consideration. The petitioners are not responsible for any kind of forgery. It could be the handiwork of a co-accused. The petitioners have replied to all the queries sent by the investigating officer. The dispute is between sisters over a property.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that the petitioners executed a deed of gift by suppressing the fact

that there were other sisters and brothers who were the co-sharers in the property.

Learned counsel for the State submits that even the seal of the Court has been forged. However, the petitioners have replied to the queries sent by the investigating officer and tried to shift the blame on a co-accused.

It appears that several relevant documents were collected during investigation and that the petitioners have also answered the questions sent by the investigating officer.

In view of the above, I do not think that custodial interrogation of the petitioners is required in this case.

In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) each with two sureties of like amount each, one of whom must be local, 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 corresponding to Section 482(2) of the BNSS, 2023 and on the further conditions that the petitioners shall cooperate with the investigation, shall not threaten or intimidate witnesses and shall attend the jurisdictional court on the dates fixed.

The application for anticipatory bail is, thus, allowed.

(Jay Sengupta, J.)

