

AD 38
August 5, 2025
Ct. 28
SG

CRM(A) 1630 of 2025
CRAN 1 of 2025

Allowed

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Lake P.S. Case No.66 of 2024 dated 07.04.2024 under Sections 120B/420/406/467/468/471/477A of the IPC.

And

In the matter of:

Nanda Dulal Saha @ Raj Saha

... petitioner

Mr. Pratip Kumar Chatterjee, Sr. Adv.

Ms. Maitrayee Chatterjee

... for the petitioner

Ms. Rituparna Ghosh

Ms. Ankita Paul

... for the State

Mr. Sandipan Ganguly, Sr. Adv.

Mr. Sourav Chatterjee

Mr. Rohan Ojha

Mr. Santosh Kumar Ray

Ms. Rituparna Sanyal

... for the de facto complainant

Learned senior counsel representing the petitioner submits that the petitioner is a producer of films. The petitioner and the de facto complainant virtually agreed that two short films would be made on payment of Rs.60 lakhs. But, the full payment was not made. The petitioner was forced to sign on some documents, which now appear to have been made into certain valuable agreements. Now, the two films are practically ready, except the fact that the

dubbing and colour correction have not been done as the entire payment was not made by the de facto complainant.

Learned senior counsel representing the de facto complainant strongly opposes the prayer for anticipatory bail and submits that there are undertakings given by the petitioner about the wrongdoings that he practiced and about making good the misappropriated money taken. One cheque given by the petitioner in this regard bounced. There is a case filed under Section 138 of the Negotiable Instruments Act over the same. The petitioner is continuously threatening the de facto complainant.

Learned counsel for the State opposes the prayer for anticipatory bail, relies on the statements of the witnesses and submits that fake bills were submitted to show expenses.

From a careful perusal of the case diary, it does not appear that it was ascertained by the investigating officer whether the bills in question were fake or not.

It also appears that a cheque given by the petitioner that was dishonoured and is a subject matter of litigation in a complaint case started by the de facto complainant under Section 138 of the N.I. Act.

Considering the materials available in the case diary and the substantial civil flavour in the allegations and counter

allegations made by the petitioner and the de facto complainant, I am inclined to grant anticipatory bail to the petitioner.

In the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 petitioner shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form, shall not enter the jurisdiction of Lake Police Station except for meeting the investigating officer or attending the jurisdictional court for four months from this date and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)