

16.07.2025
Item no.14
Court No.42
ss
(Allowed)

**HIGH COURT AT CALCUTTA
CRIMINAL MISCELLANEOUS JURISDICTION**

CRM (M) 667 of 2025

In re : An Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Chakdah Police Station Case No.1319/2024 dated 18/11/2024 under Sections 85/80/107 of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act, 2012 and Sections 9/10/11 of the Prohibition of Child Marriage Act, 2006 pending before the learned Additional Chief Judicial Magistrate, Kalyani at Nadia vide Special Court Case No.05 of 2025.

-And-

In the matter of : XXX and anr.

... .. Petitioners

Mr. Sumanta Das,
Mr. Avilash Tripathi,
Ms. Sayantika Sahu

... For the Petitioner

Mr. Rana Mukherjee,
Mr. Aritra Bhattacharya

...For the State

Service report filed by the State is taken on record.

Learned Advocate for the petitioners submit that the victim eloped with the son of the petitioners and they married. The petitioners are the parents-in-law of the victim girl and have no role to play so far as the allegations are concerned. The petitioners are languishing in custody for 138 days and after completion of investigation, charge-sheet has already been submitted. He seeks for enlargement of the petitioners on bail.

Learned Advocate for the State, opposing such prayer for bail, submits that the victim due to continuous torture in the matrimonial home by these petitioners and others, committed

suicide by hanging. He seeks for dismissal of the bail application of the petitioners.

Despite service none appears on behalf of the *de facto* complainant.

Perused the case diary and the materials on record.

The statement of the witnesses shows that these petitioners being the parents-in-law along with others inflicted torture upon the victim in the matrimonial home. As per postmortem report, the victim committed suicide by hanging. Be that as it may, what circumstances had led to suicide by the victim or the complicity of the petitioners may be examined and tested in trial. The petitioners are in custody for 138 days and upon completion of investigation, charge-sheet has already been submitted. Considering the above, I am inclined to grant bail to the petitioners.

Accordingly, the petitioners 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 a local, to the satisfaction of the learned Additional Sessions Judge, Kalyani, Nadia. The petitioners shall appear before the trial court on each and every day of substantive hearing subject to the provisions of Section 317 of the Code of Criminal Procedure, 1973/Section 355 of the Bharatiya Nagarik Suraksha Sanhita, 2023 and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever. The petitioner no.1 shall meet the Inspector-in-Charge of Chakdah Police Station once in a fortnight, until further orders.

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

It is made clear that the observation made hereinabove is only for the sake of disposal of this application.

Accordingly, the application for bail being **CRM (M) 667** of **2025** is disposed of.

(Bivas Pattanayak, J.)