

14.07.2025

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jb.

jdt.

Allowed

C.R.M. (M) 652 of 2025

In Re : An Application under Section 439 of the Code of Criminal Procedure/under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with New Town Police Station Case No. 18 of 2025 dated 26.01.2025 under Sections 108/3(5) of the Bharatiya Nyaya Sanhita.

And

In Re : Vishal Singh @ Vishal Shing

Mr. Milon Mukherjee

Mr. Avik Ghatak

Mr. Sagnik Mukherjee

... For the Petitioner.

Mr. Ranadeb Sengupta

Mr. Sachit Talukdar

... For the Defacto Complainant

Mr. Debasish Roy

Mr. Joydeep Roy

Ms. Snigdha Sahu

... For the State

The petitioner is in custody for about 168 days and prays for bail.

Learned counsel for the petitioner submits that there was a long standing love affair between the petitioner and the victim. The victim committed suicide. The petitioner has no role to play in the alleged incident.

Learned counsel for the State and the defacto complainant oppose the prayer.

I have considered the material on record. There appears to have been long standing love affair between the petitioner and the victim. Post mortem report demonstrates that the victim committed suicide. Certain injuries were detected in the person of the victim which have been clarified

to be self inflicted subject to confirmation by circumstantial evidence.

Learned counsel for the defacto complainant submits that there was a telephonic conversation between the petitioner and the father of the victim soon after the alleged incident wherein the petitioner stated that he had murdered the victim.

The voice recording is yet to be matched. Charge sheet has been submitted. The charge-sheet is bereft of the evidence collected against the petitioner implicating him in the alleged incident. Whether the role of the petitioner can be said to be the proximate cause of commission of suicide by the victim shall be assessed at the appropriate stage of trial.

Considering the material on record, this Court is of the view that further detention of the petitioner is not required. He may be granted bail.

Accordingly, the prayer for bail is allowed.

The petitioner namely Vishal Singh @ Vishal Shing shall be released on bail upon furnishing 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 Chief Judicial Magistrate, Barasat, North 24 Parganas subject to condition that he shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not tamper with evidence or intimidate witnesses in any manner whatsoever.

In the event the petitioner fails to appear before the learned trial Court on any date fixed for hearing without any justifiable cause, the learned trial Court shall be at liberty to cancel his bail in accordance with law without further reference to this Court.

The application for bail is disposed of.

Case diary be returned.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Suvra Ghosh, J.)