

18.09.2025
Court No.28
Item No.15
ssi

CRM (A) 2256 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Suraksha Nagarik Sanhita in connection with Ballygunge PS Case No.43 of 2025 dated 07.03.2025 under Sections 61(2)/338/336(3)/340(2)/318(4)/316(2)/351(3) of the BNS 2023.

And

In the matter of: **Nupur Kejriwal & another.**

....Applicants/Petitioners.

Mr. Sandipan Ganguly, Sr. Adv.
Mr. Sushovit Dutt Majumder
Mr. Dipanjan Dutt
Ms. Rajeshwri Prasad
Ms. Arpita Dey

...for the petitioners

Mr. Debasis Roy, Ld. PP
Mr. Joydeep Biswas
Mr. Ashok Das

...for the State

Mr. Kalyan Bandopadhyay, Sr. Adv.
Mr. Imran Siddiqui
Mr. Niladri Bhattacharjee
Ms. Pramiti Bandopadhaya
Mr. Soham Bandyopadhyay
Ms. Priyanka Kundu
Mr. Rahul Singh

..for the de facto

Learned senior counsel appearing on behalf of the petitioners in CRM(A) 2256 of 2025 submits as follows. The present petitioners are the daughter and the son-in-law of the deceased Raja Ram Saraf. They have been impleaded as accused in this case only because the petitioner no. 1 is an heir to the prime accused Raja Ram Saraf. In fact, the petitioner no.1 had relinquished her rights in the family property during the lifetime of her father. In 2008, eight companies purchased land from one Pulin Das who was recorded owner. Their names were mutated. On 18.08.2011 and 19.08.2011 two term sheets were executed between the eight companies as the owners on one hand and the de-facto complainant on other hand. A security

deposit of Rs. 14 crores was given by the de-facto complainant in respect of the first term sheet. In respect of the second term sheet there was an agreement that the owner companies will purchase contiguous land for the purpose of development. In May, 2014 a suit for specific performance for the two term sheets was filed. However, on 02.07.2014 the KMC cancelled the mutation in the name of eight companies on the ground that the land in question was acquired by the KMC in 1930. In September, 2014 writ petition was filed by the eight companies, challenging the same. The same is pending. In 2016, the owner companies learnt that KMC had handed over the possession of land to another company. The eight companies approached this Court and this Court directed that no third party interest should be created in respect of the said land without the leave of the Court. In 2017, the case of specific performance was converted into an arbitration proceeding. An Arbitrator was appointed. An award was passed on 4th March, 2018, among other things, directing payment of Rs. 19 crores to the de-facto complainant. On 18.05.2018 the eight companies challenged the order. The same is pending. In February 2019, the de-facto complainant filed an execution case, which is also pending. On 2nd December, 2024 the de-facto complainant filed a supplementary affidavit regarding a settlement arrived at with one Kalim. A total sum of Rs. 12 crores has accordingly been paid to the de facto complainant. Although an application for impleadment of legal heirs was filed in 2024, the FIR was started much later on 07.03.2025.

Learned senior counsel appearing on behalf of the de facto complainant opposes the prayer for anticipatory bail.

Learned Public Prosecutor representing the State relies on the case diary and opposes the prayer for anticipatory bail.

The thrust of the allegations appears to be that the petitioner no.1 was the daughter of the Late Raja Ram Saraf against whom the main allegations are levelled and the petitioner no.2 was the husband of the petitioner no.1.

Considering the nature of allegations, the materials available in the case diary and the alleged roles ascribed to the present petitioners, I do not think that custodial interrogation of the petitioners is required in this case and I am inclined to grant anticipatory bail to the petitioners.

Accordingly, the application for anticipatory bail of the petitioners is allowed.

However, in the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- 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 further conditions that the petitioners shall not threaten or intimidate the witnesses and shall co-operate with investigation. The petitioner no.2 shall meet the Investigating Officer as and when required.

The application for anticipatory bail is, thus, disposed of.

(Jay Sengupta, J.)