

**05.03.2025**

DL-38  
Court No.26  
(Dismissed)  
(AD)

**CRM (DB) 1885 of 2024**

In re: An application for cancellation of bail under Section 439(2) of the Code of Criminal Procedure, 1973.

-And-

**In the matter of : Ms. X (victim)**

**... ..Petitioner**

Mr. Sachit Talukdar, Advocate  
... for the petitioner

Ms. Anasuya Sinha, Ld. APP  
Ms. Sujata Das, Advocate  
... for the State

Mr. Anirban Dutta, Advocate  
Mr. Abhra Jena, Advocate  
Mr. Swarnadeep Khara, Advocate  
Mr. Devang Das, Advocate  
... for the opposite party no.2

1. Petitioner prays for cancellation of bail granted by the jurisdictional Court on May 16, 2024.
2. It is contended on behalf of the petitioner that, no notice of the application for bail was served upon the de facto complainant. Moreover, the private opposite party is guilty of post-bail misconduct. Private opposite party uploaded certain details on a social media and sent across pictures of the de facto complainant to her mother.
3. State and the private opposite party are represented.
4. We perused the statement of the de facto complainant recorded under Section 164 of the Code of Criminal Procedure where, she acknowledges that, there was a consensual relationship between her and the petitioner. Apparently, a relationship between the petitioner and the private opposite party turned sour.

5. The issue as to whether the private opposite party promised marriage may be decided at the trial.
6. Both the petitioner and the private opposite party are adults.
7. Post-bail misconduct is not substantiated.
8. Intimate pictures sent to the mother of the de facto complainant cannot be construed to be a publication of the same to the public at large.
9. In such circumstances, we are not minded to interfere with the order impugned before us.
10. **CRM (DB) 1885 of 2024** is **dismissed** without any order as to costs.

**(Debangsu Basak, J.)**

**(Md. Shabbar Rashidi, J.)**