

AD 25
September 1, 2025
Ct. 28
SG

CRM(A) 2541 of 2025

Reject

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Kalighat P.S. Case No.89 of 2025 dated 07.05.2025 under Sections 120B/406/408/420/379/467/486/472 of the IPC, 1860.

And

In the matter of:

Ankit Maheshwari and another
... petitioners

Mr. Kallol Basu, Sr. Adv.
Mr. Imtiaz Akhtar
Ms. Mehelee Chatterjee
Ms. Shreejita Sen

... for the petitioners

Mr. Debasish Roy, Id. PP
Ms. Sreyashee Biswas
Md. Yaser Ammar Ismail

... for the State

Mr. Sourav Chatterjee, Sr. Adv.
Mr. Avik Ghatak
Mr. Akash Ghosh

... for the de facto complainant

Learned senior counsel representing the petitioners submits that there was an agreement entered into between the accused/petitioners' company and the de facto company on 26.08.2023 where the complainant company was acting as an investor. There was a proposed arrangement to take over the company of the present petitioners. Significantly, in a supplementary agreement it was clarified that the petitioners would have no financial liability. In fact, when the amounts became due to the petitioners, the petitioners have a notice to the other side. It was only after such notice

was given that the present FIR was registered. It was alleged in the FIR that due to certain action of the petitioners, the de facto complainant was allegedly made to incur losses. A device/forwarder was also alleged to have been put into the system by which all e-mails were supposedly forwarded to the petitioners. However, there was no wrongful gain on the part of the petitioners.

Learned senior counsel representing the de facto complainant denies the allegations made by the petitioners. He reiterates the allegations made in the FIR.

Learned Public Prosecutor representing the State files a memo of evidence, which is taken on record and kept in a sealed cover. He relies on the memo of evidence and the case diary, opposes the prayer for anticipatory bail and submits that most of the actual victims were residing abroad. Several statements of such victims have been recorded online. There was assurance given by the petitioners that the said victims would be given certificates and jobs although they were not entitled to the same. The money, at present, was going to the account of the de facto complainant. But, due to such false promise they were having to return such money. The petitioners also started another company and were making illegal gains with the same kind of promises and that too by giving the phone number of the de facto complainant as that of the company. Investigation is going on. Investigation has

already revealed that the forwarder in question has been put in by the petitioners.

Considering the above and the other incriminating materials available in the case diary, I do not consider this to be a fit case for granting anticipatory bail.

The application for anticipatory bail is, thus, rejected.

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

(Jay Sengupta, J.)