

01.10.2024

Court No.29

Item No. 04

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CRM (A) 3220 of 2024
with
I.A No. CRAN 1 of 2024

In Re: **Madhusudan Ajitsaria** **Appellant**

Mr. Sandipan Ganguly, Sr. Adv
Mr. Jaydeep Biswas
Mr. Kaushik Ghosh ... For the Petitioner

Mrs. Baisali Basu
Mr. Amanul Islam ... For the State

Mr. Sabir Ahmed
Mr. Shoorjyo Mukherjee
Mr. Vishwarup Acharyya
Ms. Tasnim Ahamed ... For the Private Respondent

Re: CRAN 1 of 2024

In Re:- An application for modification

1. This is an application for modification of the bail conditions mentioned in the order dated 12th September, 2024.
2. Mr. Sandipan Ganguly, learned senior counsel, appearing on behalf of the petitioner, submits that the petitioner is facing difficulty in furnishing bail bond of Rs.10,00,000/- (Ten Lakhs) with two sureties like amount, one of whom must be local, as the learned Court below has bond capacity of Rs.50,000/-. It is submitted that it can be divided into 10 (ten) individual registered sureties. However, in the alternative it is submitted that entire amount can be deposited before the trial court and the complainant can withdraw the said amount by furnishing a personal bond.

3. Having regard to the nature of controversy we feel that the second suggestion is more acceptable.
4. We modify the bail condition by directing the petitioner to deposit a sum of Rs.10,00,000/-(Ten Lakhs) with the jurisdictional court with liberty to the complainant to withdraw the said amount by furnishing undertaking that in the event the petitioner is acquitted, the entire amount shall be re-deposited in Court, subject to any other order that may be passed by the Civil Court or by any other appropriate authority.
5. In addition to the aforesaid, the petitioner shall furnish bail bond of Rs.5,000/ with two registered sureties on or before 7th October, 2024.
6. Time to appear before the Jurisdictional Court is extended till 7th October, 2024.
7. Having regard to the nature of dispute between the parties, we feel that the matter can be amicably settled in mediation. Accordingly, we refer the matter to the Member Secretary, Mediation & Conciliation Committee, High Court, Calcutta.
8. Learned counsel for the parties have assured that all efforts should be made to resolve the dispute in mediation.
9. This order shall be immediately communicated to the Member Secretary, Mediation & Conciliation Committee, High Court, Calcutta for compliance.
10. The bail condition is modified to the aforesaid extent.
11. CRAN 1 of 2024 is accordingly disposed of.

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

(Soumen Sen, J)

(Uday Kumar, J)