

11.03.2026
Court No.28
Item No.278
Avijit Mitra

CRM (A) 721 of 2026

In Re: - A petition under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with Survey Park Police Station Case No.25 of 2026 dated 21.02.2026 under Sections 69/61(2) of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of: **Suvam Kundu & anr.**

.... Petitioners.

Mr. Ayan Bhattacharjee, Sr. Adv.,
Ms. Monideepa Banerjee,
Mr. Sitam Paul

...for the petitioners

Mr. Saibal Bapuli,
Ms. Sujata Das

....for the State

Mr. Amit Nath,
Mr. Arghadip Das,
Ms. Farha Akhtar,
Mr. Rupak Saha,
Ms. Debasmita Mukherjee

...for the opposite party no.2

Learned senior advocate appearing on behalf of the petitioners submits as follows. There was a marriage being arranged between the petitioner No.1 and the *de facto* complainant. The petitioner No.2 happens to be the mother of the petitioner No.1. The two had entered into a physical relationship. However, subsequently, the relationship turned sour and a First Information Report was registered. Before the FIR was registered, they were issued notices by the *de facto* complainant *inter alia*, praying for damages for the loss allegedly caused. No *prima facie* case is made out against the petitioners.

Learned counsel appearing on behalf of the *de facto* complainant opposes the prayer for anticipatory bail. He submits that sometime after the two had entered into the relationship, the behaviour of

petitioner No.1 changed. Finally, the petitioner No.1 refused to go ahead with the marriage.

Learned counsel appearing on behalf of the State opposes the prayer for anticipatory bail. She refers to the statement of the victim recorded before the learned Magistrate, other statements and the medical papers.

Considering the above, the other materials available in the case diary and the fact that there was some kind of relationship between the petitioner No.1 and the victim for long, 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.

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 co-operate with the investigation and shall not threaten or intimidate the witnesses. The petitioner no.1 shall meet the I.O. once a week till submission of report in final form.

Accordingly, the application being CRM (A) 721 of 2026 is allowed.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)