

AD 8
April 20, 2026
Ct. 28
SG

Partly Allowed

CRM(A) 1024 of 2026

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Electronics Complex P.S. Case No.245 of 2025 dated 15.12.2025 under Sections 318(4)/316(2)/61(2) of the BNS, 2023.

And

In the matter of: *Sushma Saini and another* ... petitioners

Mr. Krishan Ray
Mr. Somnath Bandopadhyay
Mr. Sekhar Mukherjee
Mr. Partha Ghosh

... for the petitioners

Ms. Subhasree Patel
Mr. Dattatreya Dutta

... for the State

Mr. Soumyajit Das
Ms. Madhurai Sinha
Ms. Upasana Banerjee

... for the de facto complainant

Copy of memorandum of understanding filed by the de facto complainant is taken on record.

Learned counsel for the petitioners submits that the petitioners are the wife and son of the principal accused. It is alleged that the principal accused had taken money for supplying certain goods, but the goods were not supplied. The dispute is purely civil in nature. The principal accused has already been granted bail.

Learned counsel for the de facto complainant opposes the prayer for anticipatory bail and submits that the

petitioners are the directors of the company, which had agreed to supply materials to the de facto complainant for setting up a steel plant at Mombasa, Kenya. Only the money was taken, but not a single piece of goods was supplied. Subsequently, an agreement was entered into for repayment of such sum on the basis of which the husband of the petitioner No.1 was granted bail. The de facto complainant has challenged the order granting bail before the same Court on the ground that fraud was exercised in obtaining bail.

Learned counsel for the State opposes the prayer for anticipatory bail and relies on the statements of witnesses and copies of other documents present in the case diary.

Considering the above, the other materials available in the case diary and the fact that the petitioner No.1 is a female member of the household, while I am inclined to grant anticipatory bail to the petitioner No.1, the application for anticipatory bail of the petitioner No.2 (Joy Surinder Saini) is rejected.

In the event of arrest, the petitioner No.1 (Sushma Saini) shall be released on bail upon furnishing a bond of Rs.10,000/- (rupees ten thousand) 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 the further conditions that the

petitioner No.1 shall cooperate with the investigation and shall not threaten or intimidate witnesses.

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

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

(Jay Sengupta, J.)