

AD 45
January 15, 2026
Ct. 28
SG

Allowed

CRM(A) 3995 of 2025

An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with New Town P.S. Case No.197 of 2025 dated 26.09.2025 under Sections 316(2)/318(4)/61(2)/3(5) of the BNS, 2023.

And

In the matter of: *Jay Mondal and another*

... petitioners

Ms. Reshmi Ghosh
Ms. Parna Mukherjee

... for the petitioners

Mr. Suman De
Ms. Suparna Chatterjee

... for the State

Mr. Navanil De
Mr. Satyam Bhimsaria
Mr. Soumilya Mazumder

... for the de facto complainant

Learned counsel for the petitioners submits that the de facto complainant entered into a Letter of Intent with the petitioners that 100% of the shares would be transferred upon payment of Rs.30 crores. But, the de facto complainant could pay only Rs.1.09 crores. For this, the letter of intent was cancelled. The de facto complainant was also removed from the Board. In the meantime, the de facto complainant had siphoned off Rs. 21 lakhs and odd from the funds of the company. The petitioners were constrained to file a case before a learned Magistrate. The de facto complainant thereafter approached the civil court. Both the parties were granted status quo. The de facto complainant also prayed for police help. Thereafter, the petitioners

approached this Court. By a judgment dated 18.09.2025 passed by a Coordinate Bench of this Court in CO 3407 of 2025, the police help was set aside. Only after that, the present FIR was lodged. This is a complete abuse of the process of Court.

Learned counsel for the de facto complainant strongly opposes the prayer for anticipatory bail and submits that there was Memo of Understanding entered into between the parties that effectively modified the terms of the Letter of Intent. The de facto complainant had paid Rs.6.3 crores and odd to the accused. The accused siphoned off more than Rs.7.5 crores from the funds of the company.

Learned counsel for the State strongly opposes the prayer for anticipatory bail, relies on the case diary, the documents collected and the statements of witnesses and submits that there was outstanding dues of Rs.21 crores and odd that was not disclosed by the petitioners to the de facto complainant.

Considering the above, the other materials available in the case diary and the facts that an FIR was lodged after the order of police help was set aside by this Court and bulk of relevant documents were seized during investigation, 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/- (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 petitioners shall cooperate with the investigation, shall meet the investigating officer once a week till submission of report in final form and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Presence of the investigating officer is noted and is dispensed with.

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

(Jay Sengupta, J.)