

04/02/2026
D/L - 11
Court No.28
S. Kundu
Allowed

C.R.M.(A) 4132 of 2025

In Re: An application for anticipatory bail under Section 482 of the BNSS, 2023. In connection with Jorasanko P.S case no. 191 dated 11/10/2025 under sections 316(2)/318(2)/318(3)/318(4)/ 61(2) of the BNS.

In the matter of: Haresh Jayantibhai Pandeya @ Pandya Haresh Jayantibhai & Ors.

...Petitioners.

Mr. Sanjit Singh
Mr. Prakash Kr. Bacchawat

...for the petitioners.

Mr. Sourav Chatterjee
Mr. Rajesh Upadhyay

...for the de-facto complainant.

Mr. Jaydeep Biswas
Ms. Eshita Dutta

...for the State.

1. Report filed by the State is taken on record.
2. Learned counsel appearing for the petitioners submits as follows. The petitioners are businessmen of Gujrat. They entered into a business arrangement with the de-facto complainant for supply of bitumen. There was a series of business transactions. But, some of the bitumen supplied was found to be of poor quality. This was duly intimated to the de-facto complainant. A substantial payment has already been made. Actually nothing is due between the parties.
3. Learned senior counsel appearing for the de-facto complainant strongly opposes the prayer for anticipatory bail. He denies the contentions raised by the petitioners regarding supply of a poor quality of materials. He

submits that some cheques were given to the de-facto complainant which were dishonoured on the ground that accounts were closed.

4. Learned counsel appearing for the State opposes the prayer for anticipatory bail. She relies on the report and the case diary and submits that out of a total claim of Rs.9.82 Crores and odd, a sum of Rs.5.88 Crores and odd was paid and the rest was outstanding. Some cheques that were given were dishonoured. However, during the pendency of this application, the petitioners have complied with notice issued under Section 35(3) of the BNSS.
5. Considering the above, the other materials available in the case diary, the fact that the substantial payments were made in respect of claims of the de-facto complainant and that the petitioners have complied with notice issued by the Investigating Agency, 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.
6. 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 further conditions that the petitioners shall cooperate with the investigation and shall not threaten or

intimidate the witnesses. The petitioners shall meet the I.O as and when required.

7. Accordingly, the application for anticipatory bail is allowed.
8. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)