**CRM (A) 3888 of 2026**

**23.10.2026**
Sl. 180
Court No.7
(M.D./S.M.)
(Allowed)

In Re: - An application for anticipatory bail under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023; in connection with Special Trial Case No.51 of 2026 arising out of Debra Police Station Case No.340 of 2026 dated 23.06.2026 under Sections 329(3)/318(4)/316(2)/324(5)(6)/351(2) of the BNS, 2023 read with Section 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

And

In the matter of: **Harjit Singh Bedi @ Harjit Sing Bedi & Anr.**

....petitioner.

Mr. Amit Ranjan Pati,
Ms. Swastika Chaudhury,
Ms. Itika Nag,
Mr. Avijit Chatterjee

...for the petitioners

Mr. Soumajit Chatterjee,
Mr. Apurbo Kumar Chakrabarty

...for the de facto complainant

Mr. Lokesh Sharma,
Mr. Arindam Banerjee

... for the State

1. The petitioners, the State and the *de facto* complainant are represented by their respective learned Counsel.

2. At the very outset, learned advocate appearing on behalf of the State and learned advocate appearing on behalf of the *de facto* complainant raise the maintainability of the instant application for anticipatory bail in view of the statutory bar under Section 18 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, (the 'said Act' in short).

3. It is jointly submitted on behalf of the State as well as on behalf of the *de facto* complainant that on careful perusal of the written complaint as lodged in this case, it would reveal

that the victims of the incident were insulted and/or intimidated and/or humiliated and/or abused in a Dhaba which is a public place and, therefore, the Investigating Agency has rightly included Sections 3(1)(r) and (s) of the said Act.

4. While opposing such contention and while making submission in support of the application for anticipatory bail, learned advocate appearing on behalf of the accused/petitioners submits before this Court that no material is forthcoming that the alleged insult/intimidation/humiliation/use of abusive language at the instance of the present petitioners occurred within public view within the meaning of Sections 3(1)(r) and (s) of the said Act.
5. It is thus submitted on behalf of the petitioners that the instant application for anticipatory bail is very much maintainable and the bar under Section 18 of the said Act is not attracted.
6. It is further submitted that on careful perusal of the entire materials as placed before this Court, it would reveal that the allegations as made out in the FIR is the outcome of a business rivalry which has been given a colour of criminal litigation.
7. Such prayer is vehemently opposed on behalf of the State as well as on behalf of the *de facto* complainant.

8. Since the leaned advocate for the State and learned advocate for the *de facto* complainant raise the point of maintainability of the instant application for anticipatory bail, this Court will make its endeavour to address the said issue first.

9. This Court has meticulously gone through the materials as available in the Case Diary.

10. This Court has also gone through the statements of the witnesses as recorded in course of investigation.

11. On careful perusal of the entire materials as placed before this Court, it appears that though the witnesses, who have been examined by the Investigating Officer categorically indicated using of abusive languages by the present petitioners against the *de facto* complainant who belongs to Scheduled Castes and the Scheduled Tribes Community but no material is forthcoming before this Court that such use of abusive language/insult/humiliation occurred in public view.

12. In view of such, this Court is constrained to hold that the instant application for anticipatory bail is very much maintainable since the provision of Section 18 is not attracted in this case.

13. Coming to the merits of the instant application for anticipatory bail, it appears to this Court that admittedly there are some incriminating materials as against the present accused/petitioners. However, considering the fact

that those materials are not sufficient for custodial interrogation of the present accused/petitioners and also keeping in mind that the instant case occurred on account of a business rivalry, this Court intends to take lenient approach.

14. It is thus ordered, that in the event of arrest, the accused/petitioners, namely, **Harjit Singh Bedi @ Harjit Sing Bedi and Suraj Sing Bedi @ Suraj Singh Bedi** may find bail of Rs.10,000/- each, with two registered sureties of Rs.5,000/- each, subject to the satisfaction of the learned Chief Judicial Magistrate, Paschim Midnapore and also on condition that they shall abide by the provision of Section 482(2) of the BNSS.

15. It is further directed that the present two accused/petitioners shall meet the Investigating Officer of this case at least twice in a week till conclusion of the investigation.

16. Accordingly, the prayer for the anticipatory bail is allowed.

17. The application being **CRM (A) 3888 of 2026** is disposed of.

18. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Partha Sarathi Sen, J.)**