12. **28.10.2026**
(D/L) **CT. NO. 07**
(SWARUP-A.R.CT.)

(ALLOWED)

In The High Court at Calcutta

CRIMINAL MISCELLANEOUS JURISDICTION
(Appellate Side)

C.R.M. (A) 3906 OF 2026

In Re: An application under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Palashipara Police Station Case No.376 of 2026 dated 18.08.2026 under Sections 316(2), 318(4) of the BNS, 2023;

And

In Re: **DILIP CHOWDHURY.**

... Petitioner

Mr. Souri Ghosal, Adv.

...For Petitioner

Mr. Gouranga Kumar Das, Adv.
Ms. Pritikar Bagchi. Adv.

...For State

Mr. Manas Kumar Das, Adv.
Mr. Asraf Mondal, Adv.

...For Defacto Complainant

Learned Advocate appearing for the petitioner submits that by virtue of an instrument of sale entered into between the petitioner and the defacto complainant, the vehicle was sold to the petitioner and the possession of the vehicle was handed over to the petitioner. He submits that the petitioner is apprehending arrest pursuant to a complaint lodged by the defacto complainant on 18th August, 2026 alleging that the petitioner has sold the vehicle to another person by preparing false documents.

Learned Advocate appearing for the defacto complainant opposes the prayer for anticipatory bail. He submits that the petitioner has not paid the amount as per the terms and conditions agreed

upon by and between the petitioner and the defacto complainant in terms of the sale deed dated 14th November, 2022.

Mr. Das, learned Advocate appearing for the State opposes the prayer for anticipatory bail. He submits that pursuant to complaint lodged by the defacto complainant, FIR has already been registered and investigation is in progress.

After going through the complaint and the sale deed entered into between the parties on 24th November, 2022 with regard to the vehicle in question, it appears to this Court that the dispute between the petitioner and the defacto complainant arises out of a transfer of a vehicle. There is an allegation of violation of the terms and conditions of the said instrument of sale. It appears to this Court that the dispute between the petitioner and the defacto complainant is purely a civil dispute arising out of a sale transaction and such a dispute has been given a criminal colour by lodging a complaint before the police authority.

Considering the nature of the dispute, this Court is of the view that no custodial interrogation is necessary. In view of the aforesaid reasons, this Court is inclined to allow the prayer for anticipatory bail. In the event of arrest, the petitioner shall be released on bail subject to the satisfaction of the Arresting Officer and subject to conditions contained in Section 482(2) of BNSS, 2023.

The petitioner shall attend before the Investigating Officer on all dates as the Investigating Officer may require him to do so and shall cooperate with the investigation in all respects.

Thus, *CRM (A) 3906 of 2026* is allowed.

Memo of evidence submitted by the State be kept with the record and case diary is returned to the learned Advocate for the State.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

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

(HIRANMAY BHATTACHARYYA, J.)