26.11.2026
Item No.07
Ct. No. 34
nb

CRM(A) 3909 of 2026

In Re.: An application for anticipatory bail under Section 482 of the B.N.S.S 2023.

In the matter of: **Abhish Rungta**

..... Petitioner.

Mr. Kishore Dutta, Sr. Adv,
Mr. Soumya Majumdar,
Mr. Kallol Saha,
Mr. Quazi Ezaz Ahmed,
Mr. Akash Ghosh,

..... For the Petitioner.

Mr. Kallol Mondal, Ld. P.P,
Mr. Gourango Kr. Das,
Mr. Amal Kr. Dutta,
Ms. Sanjana Jha,

..... for the State.

Mr. Debasish Roy, Sr. Adv,
Mr. Ankit Agarwala,
Ms. Alotriya Mukherjee,

..... for the de facto complainant.

1. The submission advanced by the learned Senior Counsel representing the petitioner that petitioner was not named as an accused person in the complaint lodged by the de-facto Complainant lodged on . After a gap almost a month, he was implicated as an accused by the De-facto complainant by further making a complaint to the same police station alleging commission of offences which are absolutely false and fabricated. It is further contented that the dispute on

the face of it appears to be civil in nature as the three separate entities had long term business transactions and allegations pertains to non-payment of the agreed amount despite delivery of goods and hence the dispute is breach of terms of the contract and accordingly a commercia suit has been filed by the de-facto complainant. In addition proceeding initiated before NCLT and pursuant to a settlement the same has been withdrawn. The averments made in the subsequent complaint failed to attract any of the ingredients to constitute an offence as the alleged and hence custodial interrogation is not necessary.

2. Learned public prosecutor opposes the same on the ground of involvement of huge amount to the extent of 60 crores and further the money trail found in course of investigation suggest siphoning of the amount from one company to other companies. Furthermore there was other criminal antecedents against the present petitioner. In addition an MOU allegedly entered as found to be forged document and till date the document has not been handed over despite serving notice upon him. Accordingly, prays for dismissal of this application. It is further submitted that the anticipatory bail application was rejected by a co-ordinate Bench in respect of the principle accused.

3. Having heard both the learned counsels and going through the materials on record as well as materials available from the case diary, prima facie it is seen that initially the name of the complainant was not mentioned in the complaint lodged by the de facto complainant. Later on by filing a further complaint his name was arrayed as accused person .The record reveals commercial transaction was prevailing between two companies since July 2023 till May 2026. The complaint further demonstrate false fabricated entries made in the Books of account of the accused company and a substantial amount remain unpaid. An allegation of execution of subsequent MOU bearing signature of the complainant is raised and such document has yet to be handed over. The Co-accused has denied anticipatory bail and siphoning of substantial funds to the sister concerns are found from the case diary. It further transpires that the petitioner is an influential person and to release him at the nascent stage of investigation would frustrate the further investigation. More so, the other criminal antecedent against the petitioner cannot be ignored.

4. In view of the facts and circumstances, and the nature of allegation levelled against the petitioner as well as the amount involved in this case, this court is of the view

that it is not a fit case to warrant the benefit of anticipatory bail in favour of the petitioner .

5. Hence prayer for anticipatory bail stands rejected.

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

(CHAITALI CHATTERJEE (DAS), J.)