

30.03.2026
Sl. No.10
Ct. 28
NB

C.R.M (A) 62 of 2026

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure, 1973 corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Tehatta PS Case No.766/2025 dated 29.09.2025 under Sections 85/117(2)/109/3(5) of the Bharatiya Nyay Sanhita, 2023.

And

In the matter of: Saddam Mondal ... petitioner

Mr. Asraf Mandal.
...for the petitioner.

Mr. Aniket Mitra,
Mr. Saptarshi Chakraborty.
...for the State.

Ms. Minoti Gomes.
...for the de facto complainant.

Report filed on behalf of the State is taken on record.

Learned counsel appearing on behalf of the petitioner submits that this is a second application filed on behalf of the petitioner under change circumstances. During the pendency of this application, the disputes that had led to the registration of the FIR have been finally settled between the private parties, and the couple is now living together happily at the matrimonial home of the alleged victim.

Learned counsel appearing on behalf of the State relies on the earlier statement of the victim, another statement of the victim recorded before the learned Magistrate and the further statement of the alleged victim recorded by the Police.

Heard the learned counsel for the de facto complainant.

It appears that during continuation of the impugned proceeding, a settlement was arrived at between the private parties, and for a prolonged period, the petitioner and the alleged victim have been staying together at the same place as husband and wife.

Considering the above, the other materials available in the case diary and the substantial change in circumstances that during pendency of the proceeding, the private parties have settled their disputes and, more importantly, the alleged victim has been staying at her matrimonial home with her husband and in-laws happily for a considerable period of time, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest, the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/- with two sureties of like amount each, one of whom must be local, to the satisfaction of Arresting Officer and subject to the conditions as laid down under Section 438 of the Code of Criminal Procedure, corresponding to Section 482 of the Bharatiya Nagarik Suraksha Sanhita and on further condition that the petitioner shall cooperate with the investigation and shall not threaten or intimidate witnesses or tamper with evidence in any manner whatsoever and the petitioner shall meet the Investigating Officer once a week till submission of report in final form.

The application for anticipatory bail is, thus, disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)

