

14.01.2026
Serial no. 15-18
[G.S.D]

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI

CRM (A) 884 of 2025

In re : An Application under Section **482** of the BNSS, 2023/under
Section 438 of the Cr.P.C. Siliguri PS Case No. 606 of 2025 dated
12.09.2025 u/s 316(2)/318(2)/318(4)/351(2)/61(2) of the BNS,
2023.

-And-

In the matter of : Anuja Sinhal ... Petitioner(s)
With

CRM (A) 885 of 2025

In the Matter of : Chetan Sinhal

CRM (A) 886 of 2025

In the Matter of : Sarita Sinhal

CRM (A) 887 of 2025

In the Matter of : Chandra Prakash Sinhal

Mr. Subham Ghosh Mr. Mayank Roy	... for the petitioner(s)
Mr. Kallol Acharjee Mr. Ujjwal Luksom Ms. Sukanya Adhikary	... for the State-respondent in CRM(A) 884/25
Mr. NilayChakraborty, Id. APP Mr. S. S. Sikdar	... for the State-respondent(s) In CRM(A) 885 of 2025
Mr. Kallol Acharjee Mr. Ujjwal LUksom Mr. Chattu Roy	... for the State-respondent(s)

In CRM(A) 886 of 2025

Mr. Kallol Acharjee
Mr. Dhimal Sil

... for the State-respondent(s)
In CRM(A) 887 of 2025

Mr. Suresh Kumar Mitruka
Mr. Aayush Mitruka
Mr. Sujit Swami

... for the defacto-complainant

On the basis of the complaint of one Radheshyam Agarwal with the Inspector-in-charge of Siliguri Police Station, the present case was registered for investigation. The accusations against the present petitioners were to the effect that by way of allurements and misrepresentation, the petitioners were successful in compelling the complainant to part with a sum of Rs. 25 lakhs which were transferred in the accounts of Radheshyam Agarwal (HUF Account), Radheshyam Agarwal, Dewki Devi Agarwal, Pulok Kumar Agarwal (HUF Account), Pulok Kumar Agarwal and Pulok Kumar Agarwal (Joint Account).

After deposit of such amount, the complainant visited the shops of the petitioners at Siliguri market namely Silver Queen Jewellers and Gold Diamond Silver Queen Jewellers on or about 1st week of April, 2025. The complaint's main purpose was to purchase good quality of jewellery for the marriage of his grandson, namely, Murari Lal Agarwal which was scheduled for solemnization on 12th

May, 2025. Such jewellerys were not made available and, subsequently, the complainant found that the shop rooms were closed.

The complaint alleges that he was falsely induced to part with such huge sum of money. According to the complainant, neither the jewellerys were made available to him nor shops were found open.

The complainant also alleges that the accused persons/petitioners fled away, as such, he requested the police authorities to take steps as cognizable offences have been committed at the behest of the accused/petitioners.

Learned advocate for the petitioners submits that the amount which has been alleged to have been advanced for purchase of gold jewellerys was an investment and, such investment was done by the complainant and his other family members. The petitioners having suffered business loss were compelled to close down the shops.

Further, so far as the Chandra Prakash Sinhal – one of the accused/petitioners is concerned, he was suffering from ailments for which he had to go to Calcutta for treatment, the other petitioners were not available. According to the learned advocate, the petitioners intended to cooperate with the investigation and there was no intention of the petitioners fleeing away from the process of law.

Learned advocate for the complainant, on the other hand, submits that the purpose for which the amount was advanced has not been subserved. However, the accused persons by their allurements have been successful in depriving the complainant of his lawful demand. Learned advocate also added that accused/petitioners are evading the process of law, as such, they are not entitled to get the privilege of anticipatory bail.

Learned advocate for the State submits that the bank accounts have already been frozen and the petitioners have complied with the notices under Section 35(3) of the BNSS at the addresses where it was served by the investigating agency.

The investigation of the case is still in progress.

Having considered the nature of the transaction and the steps taken by the investigating agency, I am of the view that custodial detention of the petitioners may not be warranted in the facts and circumstances of the present case, although, *prima facie*, a case has been made out for investigation.

Having regard to the same, I am of the view that the petitioners be enlarged on anticipatory bail.

Hence, the prayer for anticipatory bail of the petitioners is **Allowed**.

Accordingly, I direct that in the event of arrest, the petitioners [Anuja Sinhal in CRM (A) 884 of 2025; Chetan Sinhal in CRM (A) 885 of 2025; Sarita Sinhal in CRM(A) 886 of 2025 and Chandra Prakash Sinhal in CRM(A) 887 of 2025] be released on bail upon furnishing bond of Rs.20,000/- (Rupees Twenty Thousand only) **each**, with two sureties of Rs.10,000/- (Rupees Ten Thousand only) each, one of whom must be local, to the satisfaction of the arresting officer of the case and also subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and/or under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Since the investigation of the case is in progress, the petitioners namely, Chetan Sinhal and Chandra Prakash Sinhal shall meet with the investigating officer of the case once in a week till further orders of this court.

So far as the petitioners, namely, Anuja Sinhal and Sarita Sinhal are concerned, they shall make themselves available before the investigating officer of the case as and when called for.

With the aforesaid observations, CRM(A) 884 of 2025; CRM (A) 885 of 2025; CRM(A) 886 of 2025 and CRM(A) 887 of 2025 is disposed of.

Report submitted by the State be kept with the record.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)