

20.08.2025
Court No.28
Item No. 158
tbsr
Allowed

CRM (A) 2708 of 2025

In Re: - An application for anticipatory bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with **Tollygunge** P.S. Case No.**141 of 2025** dated **10.06.2025** under Section **108** of the of the Bharatiya Nyaya Sanhita, 2023.

And

In the matter of:

....Petitioner.

Mr. Sandipan Ganguly
Ms. Manswita Mukherjee
Mr. Abhishek Chakraborty
Mr. Gaurav Ghosh
Mr. Rishav Singh
...for the petitioner

Mr. Saibal Bapuli, Id. APP
Mr. Nirupam Dhali
....for the State

Learned senior counsel appearing on behalf of the petitioner submits as follows. The petitioner is the wife of the victim deceased while the FIR was lodged by the mother-in-law of the victim. Since 2022 the couple had been living separately. The petitioner intimated the local police authorities to this effect on 05.08.2024. It was also informed that her husband was threatening her of committing suicide if she did not come back. Suddenly, the petitioner learnt that the husband had committed suicide on 08.05.20205. Thereafter, the petitioner asked the mother-in-law to allow her to take back certain articles that belonged to her at the rented premises in question. Soon thereafter, the present FIR was registered on 04.06.2025. Although the FIR refers to an earlier letter dated 25.05.2025, it was

nevertheless filed much later without giving any explanation regarding delay.

Learned counsel appearing on behalf of the State relies on the case diary including the statement of the de-facto complainant.

It will for the Courts to finally decide whether there is any element of abetment of suicide in this case.

However, considering the materials available in the case diary and the alleged role attributed to the present petitioner, I do not think that custodial interrogation of the petitioner is required in this case and I am inclined to grant anticipatory bail to the petitioner.

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 the Arresting Officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 corresponding to Section 482(2) of the BNSS, 2023 and on further condition that the petitioner shall co-operate with investigation and shall not threaten or intimidate witnesses.

The application for anticipatory bail is, thus, allowed.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)