

09.09.2025

SL No.21

Ct. No.03

Sudipta

**Calcutta High Court
In The Circuit Bench at Jalpaiguri**

CRM (A) 626 of 2025

In Re: An application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with Pradhan Nagar Police Station Case No. 511 of 2025 dated 24.07.2025 under Sections 319(2) / 318(4) / 336(3) / 338 / 61(2) of the BNS, 2023.

And

In Re : **Ramesh Shah & Anr.**

.....Petitioners

For the Petitioners :

Mr. Sanjay Mazoomder

Ms. Sukanya Adhikary

Mr. Sitesh Gupta

.....Advocates

For the State :

Mr. Nilay Chakraborty, Ld. APP

Mr. Saikat Chatterjee

.....Advocates

For the de facto complainant :

Mr. Hillol Saha Poddar

.....Advocate

1. Learned counsel for the petitioners submits that the petitioners herein are the bona fide purchasers of land that is the subject matter of the present case. The said land was purchased from Nandlal Sharma and Sikandar Sharma in the year 2016. Learned counsel further submits that Nandlal Sharma and Sikandar

Sharma had purchased this land in 2005 through one Jai Narayan who is the power of attorney of Radha Devi. Learned counsel further submits that in the mean while one Karambir Singh and Binay Mittal claimed to have purchased the same land from Jitender, son of Radha Devi. Learned counsel also submits that subsequently Radha Devi filed a complaint that at the time of alleged transaction with Karambir Singh and Binay Mittal, her son Jitender had already died. Learned counsel further submits that now Radha Devi has filed a complaint alleging therein that she had never sold her land to Nandlal Sharma and Sikander Sharma. Learned counsel submits that it is primarily a civil dispute which has been given a criminal colour.

2. Learned counsel for the de facto complainant has vehemently opposed the anticipatory bail application on the ground that the complainant never sold the subject matter land to the present petitioners and the petitioners have forged and fabricated the documents to illegally taking over the property.
3. Learned counsel for the State has also submitted that since the forgery has been committed, it is necessary that the matter be thoroughly investigated.
4. Let the State file a detailed status report.

5. The petitioners are also directed to join the investigation as and when directed by the Investigating Officer.
6. List this matter before the next available Circuit Bench.
7. In the meanwhile, no coercive actions be taken against the petitioners.
8. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Dinesh Kumar Sharma, J.)