

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).2516/2013

(From the judgement and order dated 26/02/2013 in CRM No.2640/2013, of The HIGH COURT OF CALCUTTA)

GIRIJA MISHRA & ORS.

Petitioner(s)

VERSUS

STATE OF W.B. & ANR.

Respondent(s)

(With appln(s) for anticipatory bail, permission to file additional documents and office report)

Date: 18/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA  
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE

For Petitioner(s) Mr. B. Kalaivannan, Adv.  
Mr. Amit Kumar Singh, Adv.  
Mrs. K. Enatoli Sema, Adv.  
Mr. Neeraj Shekhar, Adv.

For Respondent(s) Mr. Anip Sachthey, Adv.  
Mr. Kabir S. Bose, Adv.  
Ms. Sagun Matta, Adv.

Mr. Varinder Kumar Sharma, Adv.  
Mr. Yugal Kisor Prasad, Adv.

UPON hearing counsel the Court made the following  
O R D E R

Heard counsel for the petitioner and perused the nature of the offence alleged against the petitioners. Considering the same, we are of the view that the High Court was not correct in refusing to grant anticipatory bail to the petitioners as we have noticed that the dispute, prima facie appears to be a dispute of a civil nature and, therefore, there was no reason for the petitioners to surrender and face detention.

We, therefore, grant protection to the petitioners staying their arrest in Police Case No. 444/2009. However, the order of staying further proceeding in P.S. Case No. 444 of 2012 dated 13.07.2012 under Section(s) 420/206/468/471/120B of the Indian Penal Code, 1860 shall stand vacated and the matter will proceed in accordance with law.

The special leave petition, accordingly, is disposed of.

