

3.06.2021

ks.

Ct. 42, sl.1

CRR 3140 of 2019

CRAN/1/2021

Partha Sikdar

vs

State of West Bengal & Anr.

Mr. Shibaji Kumar Das

... For Petitioner.

Mr. S.G. Mukherjee, Ld. P.P.,

Mr. Arijit Ganguly,

Mr. Dipankar Pramanick

... For the State.

Parties are represented through their learned Advocates, the names of whom are shown above at the beginning of this order sheet.

The CRAN application 1 of 2021 praying for modification and/or relaxation of the order dated 26th November, 2019, passed by this court in CRR No.3140 of 2019, is taken up for hearing.

The petitioner is a Superintendent Engineer, now posted at English Bazar in the office of Northern Highway Circle, PWD Roads, Government of West Bengal. The petitioner has been involved in a case under Section 306 IPC. The warrant of arrest issued against the petitioner was stayed by this court for a period of three weeks with the direction upon the petitioner to surrender within the stipulated period with observation that in the event of petitioner surrendering before the trial court within the mentioned period, the petitioner may be permitted to continue on same bail. The said order was also conditioned that the petitioner will meet the Officer-in-Charge, English Bazar Police Station twice a week until further orders. It is submitted by Mr.

Shibaji Kumar Das, learned Advocate representing the petitioner that the petitioner complied the condition imposed by order dated 26th November, 2019 till the enforcement of the lockdown in March, 2020. With the imposition of the lockdown, the petitioner has been compelled to come to Calcutta, though he is officially posted at English Bazar.

Mr. Mukherjee, learned Public Prosecutor representing the State submits that though no adverse report is available against the petitioner, as regards the observance of the condition in respect of the order dated 26th November, 2019, but the petitioner should not go scot free without any condition.

Having considered the submission of both sides, the condition as regards on meeting the Officer-in-Charge, English Bazar Police Station twice a week stands lifted.

The petitioner is, however, directed to appear on each date of trial before the learned court below, failing which, the order lifting the condition may again be revisited.

The learned Advocate for the petitioner is requested to furnish the present whereabouts of the petitioner to the Investigating Officer of this case so that the pending investigation may be proceeded without any hindrance at the moment.

With this, the order dated 26th November, 2019, stands modified to the extent as mentioned hereinabove.

The CRAN 1 of 2021 stands disposed of.

(Subhasis Dasgupta, J.)