

Sr. 29  
**10-12-2020**  
s. d.  
ct, no.42

**CRR 770 of 2020**

In Re : **Endadul Haque @ Andadul Haque** ..... petitioner.

In the matter of : An application under Section 482 read with  
Section 401 of the Code of Criminal Procedure .

Mr. Mrityunjoy Chatterjee  
Mr. Sushsingdho Bhattacharyya  
.....for the petitioner.

Mr. Arijit Ganguly  
Mr. Sanjib Kumar Dan  
...for the State.

Learned advocate appearing for the petitioner is aggrieved by the Order No. 21 dated 01-08-2019 passed by the learned Additional Sessions Judge, Fast Track Court, 3<sup>rd</sup> Court, Barrackpore, North 24 Parganas in connection with S. C. Case No. 405 of 2015 arising out of Jagaddal P. S. Case No. 332 dated 11.04.2014.

The subject matter of grievance is the issuance of warrant of arrest. Learned advocate appearing for the petitioner undertakes that the petitioner is willing to surrender to the learned court below.

Mr. Arijit Ganguly, learned advocate is directed to appear on behalf of the State.

Having regard to the undertaking given by the learned advocate for the petitioner and the fact that the trial could not proceed for a considerable period of time for the absence of this petitioner being the sole accused, I am of the opinion that although there is no lapse in the order passed by the learned trial court but a last opportunity must be afforded to the petitioner.

In view of the aforesaid, if the petitioner surrenders before the trial court by 23.12.2020, the learned trial court would consider the application for bail of the petitioner in accordance with law.

The warrant of arrest so issued be stayed till 24.12.2020 till the petitioner surrenders before the learned trial court.

The petitioner is directed to meet the Officer-in-Charge, Jagaddal Police Station on and from 14.12.2020 till the trial court consider whether such condition should continue or not.

With the aforesaid observations, CRR 770 of 2020 is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

**( Tirthankar Ghosh, J. )**