

Court No.
5
Item.23
ssi

18.11.
2020

C.R.R. 1495 of 2020

(via video conference)

In the matter of :- **Soumen Samanta & ors.**

Mr. Anand Keshari
Mr. Sekhar Mukherjee
....for the petitioners

Mr. S.G. Mukherji, PP
Mr. Arijit Ganguly
.....for the State

This is an application for setting aside the warrant of arrest issued by the learned Trial Court against the present petitioners in Sessions Case No. 64 of 2020.

Learned counsel appearing on behalf of the petitioners submits as follows. On the first day after the submission of charge-sheet when the accused was supposed to appear, the present petitioners could not appear before the learned Trial Court and take steps. Accordingly, warrant of arrest was issued against them. The petitioners could not attend the learned Trial Court on that particular day due to certain exigencies and also because of the onset of COVID-19 pandemic. The petitioners want to join the proceeding at the earliest.

Learned counsel appearing on behalf of the State, in his usual fairness, submits that the State would not come in the way if the petitioners want to join the proceeding before the learned Trial Court.

I have heard the submissions of the learned counsels appearing on behalf of the petitioners and the State and have perused the revision petition.

It will indeed be in the interest of justice that the accused join the proceeding and the trial is commenced at the earliest.

In view of the above and in the interest of justice, I direct that the warrant of arrest issued against the petitioners shall remain stayed for a period of four weeks from this date. The petitioners shall surrender before the learned trial court within the said period of four weeks. In the event the petitioners surrender and pray for bail within the stipulated time, their application for bail shall be considered in accordance with law.

With these observations, the revisional application is disposed of.

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

(Jay Sengupta, J.)