

08.01.2021

Item No.22
Ct.No.42
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 29 of 2021

**Sekh Dalim @ Sekh Mur Salim @ Nurselim & Ors.
versus
The State of West Bengal**

In Re: An Application under Section 401 read with Section 482 of the Code of Criminal Procedure, 1973 filed in connection with Sessions Case No.92 of 2019 arising out of G.R.1050 of 2016 corresponding to Sainthia P.S. Case No. 204 of 2016 dated 04.11.2016 under Sections 147/148/149/427/307/506 of the Indian Penal Code, 1860 and Sections 3/4 of E.S. Act, subsequently charge-sheet has been submitted on 31.01.2017 under Sections 147/148/149/427/307/506 of the Indian Penal Code, 1860 and Sections 3/4 of E.S. Act.

Mr. Tapas Kumar Ghosh,
Mr. Tanmay Chowdhury,
Mr. Somnath Roy ... For the Petitioners.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Arijit Ganguly ... For the State.

The petitioners are aggrieved by the warrant of arrest so issued by the learned Sessions Judge, Birbhum on 28.11.2019 in connection with Sessions Case No. 92 of 2019.

It is the submission of the learned advocate for the petitioners that although the petitioners were represented through a learned counsel, the learned court did not give them any opportunity for further appearance and issued warrant of arrest. Mr. Ghosh, learned advocate for the petitioners submits that the petitioners were willing to surrender but they are afraid of being taken into custody. The

learned advocate for the petitioners undertakes that the petitioners would surrender before the learned court below.

In view of the submissions made by the learned advocate for the petitioners, I direct that the warrant of arrest which is yet to be executed be stayed till 05.02.2021. If the petitioners surrender within the said period, the learned court would allow the petitioners to continue on the same bail and bond on condition that the petitioners would meet with the Officer-in-Charge of Sainthia Police Station thrice a week on and from 12.01.2021 and get an acknowledgement regarding their attendance before the Officer-in-Charge from the office of the learned Sessions Judge, Birbhum once in a month.

With the aforesaid observations, CRR 29 of 2021 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)