

18.01.2021
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sl no. 33

C.R.R. No. 131 of 2021

In Re : Hasan Laskar

.....petitioner

Mr. S K Mondal

..... for the petitioner

Mr. Prasun Kr. Datta

Mr. B K Roy

..... for the State

This is an application challenging the issuance of warrant of arrest in a case under section 376 of the Penal Code.

Mr. P K Datta and Mr. B K Roy, learned advocates who are present in court and who ordinarily appear for the State are requested to appear in the case for the State. Their appointment be regularized by the competent authority. A copy of the application is served upon them in Court.

Learned counsel appearing for the petitioner submits as follows. The petitioner is an accused in this case. After obtaining bail he had been regularly attending court. In 2017, on a single occasion, due to some miscommunication, the petitioner could not attend the court or take steps. Accordingly, a warrant of arrest was issued against him, which has remained pending. He wants to join the proceeding at the earliest.

Learned counsel appearing for the State submits that warrant of arrest was issued as far back as in 2017 and the petitioner did not appear before the court.

I have heard the submissions made on behalf of the respective parties and have perused the revision petition.

It appears that although the warrant of arrest was issued in 2017, the petitioner did not take steps for joining the proceeding.

In view of above, I do not think this is a fit case for staying the warrant of arrest. Accordingly, the prayer for stay of warrant of arrest is rejected.

However, the petitioner shall be at liberty to surrender before the learned trial court within four weeks from date and in the event the petitioner surrenders before the learned trial court within the period of four weeks and prays for bail, his prayer shall be considered in accordance with law.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon usual undertaking.

(Jay Sengupta, J.)