

CRR 1103 of 2021

In re : An application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973.

In the matter of : **Niranjan Sahoo & Ors.**

..... petitioners

Mr. Jayanta Samanta

Ms. Karunamoyee Samanta

....For the petitioners

Liberty is given to correct the cause title.

The impugned order dated 1st April, 2021 issuing warrant of arrest against the three petitioners shown in the cause title is the subject of challenge in this revisional application.

Mr. Samanta, learned advocate representing the petitioners submits that the petitioner nos. 1 and 2 were allowed to be represented under Section 205 of the Code of Criminal Procedure, who sought for adjournment on 31st March, 2021 along with the petitioner no. 3 for her serious illness supporting medical documents for the purpose. The Court below for hearing of an application filed by the complainant under Section 143A of NI Act allowed the prayer for adjournment fixing the matter on the following date, i.e, on 1st April, 2021.

By the impugned order, the Court below thus issued warrant of arrest against the three petitioners, out of which, two of whom were allowed to be represented under Section 205 of Code of Criminal Procedure.

Learned advocate for the petitioners wants to offer themselves to the course of law by surrendering within a

stipulated period of time subject to staying the warrant of arrest issued against the petitioners.

Service of this revisional application is not necessary upon the complainants/opposite parties. Service upon the complainants is thus dispensed with, as it will not cause any prejudice to either of the parties to this case.

Having considered the submission of the learned advocate for the petitioners and bearing in mind the materials placed on record, the warrant of arrest issued against the petitioners be stayed for three weeks subject to the condition that the petitioners will surrender before the learned Court below within such stipulated period of time, and if any bail petition is furnished upon surrendering, the same shall be considered in accordance with the provision of law providing sufficient opportunity of hearing to either of the parties to this case.

With these directions and observations, the revisional application is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Subhasis Dasgupta, J.)