

Sr. 24
04-06-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 1202 of 2021

In Re : Abu Bakkar Siddque

.....petitioner.

In the matter of : An application under Section 482 of the
Code of Criminal Procedure, 1973.

Mr. Imtiaz Ahmed
Mr. Diptendu Banerjee

.....for the petitioner.

Mr. Arijit Ganguly
Mr. Sanjib Kumar Dan

....for the State.

Mr. Ahmed, learned advocate appearing for the
petitioner submits that although an accommodation was
sought for before the learned Magistrate, yet the learned court
below proceeded to issue warrant of arrest against the present
petitioner.

I have perused the certified copy of the order-sheets
and I find that the petitioner was not regularly attending the
court and as such, a proceeding which was initiated in the
year 2013 could not advance at a regular pace. There are

justified grounds for the learned Magistrate for issuing a harsher process of law.

However, having regard to the prevailing circumstances of pandemic and as a matter of last opportunity, the execution of the warrant of arrest so issued by the learned Senior Municipal Magistrate, Kolkata be stayed till 15th July, 2021. The petitioner shall appear before the court below within the aforesaid period. In case the petitioner appears before the court below by 15th July, 2021, the learned Senior Municipal Magistrate, Kolkata would allow the petitioner to continue on the same bail and bond.

It is further directed that the learned Senior Municipal Magistrate, Kolkata shall be at liberty to impose conditions modifying the earlier order of bail so as to ensure the physical presence of the petitioner on each and every date so fixed.

So far as the merits of the matter are concerned regarding the maintainability of the proceedings, I direct the learned Magistrate to allow the petitioner to agitate the same before the court in course of the trial.

With the aforesaid observations, CRR 1202 of 2021 is disposed of.

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

(Tirthankar Ghosh, J.)