

30.04.2021
Item No.20
Ct. No.42
CHC

**C.R.R. No.1242 of 2021
(Through Video Conference)**

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

And

In the matter of:-

Manju Singh

.....petitioner

Mr. Aniket Mitra,

Mr. Tapas Sinha Roy

... for the petitioner in virtual mode

Md. Anwar Hossain,

Mr. Sanjib Kumar Dan

... for the State

The impugned order dated 27th July, 2020, passed by Learned Additional Chief Judicial Magistrate, Serampore, in G.R. Case No.196 of 2007, issuing Warrant of Arrest against the petitioner is the subject of challenge in this revisional application.

Mr. Aniket Mitra, learned advocate appearing in virtual mode for the petitioner submits that previously this petitioner was on bail, and due to some misconception of date, the petitioner could not ensure her appearance before the learned court below, and in consequence thereof, Warrant of Arrest was issued against the petitioner.

It is also submitted by Mr. Mitra that previously a separate revisional application was taken out and same has been disposed

of. The dispute between the parties has been amicably settled but the fact of settlement could not be brought to the notice of the Court as yet.

Mr. Anwar Hossain, learned Junior Government Advocate is present in Court, who ordinarily defends the State.

Since there is an Warrant of Arrest pending against the petitioner, bearing in mind the urgency involved in the case, let copy of this revisional application be immediately made over to Mr. Hossain for proper address of the issue involved in this case.

Upon perusal of the revisional application, Mr. Hossain contends that though the petitioner was previously on bail, but the petitioner has misused the privilege of bail, and as such this case should not be lightly viewed.

Having considered the submission of both sides, the Court is of the view that the instant revisional application may be disposed of, by giving following direction.

The impugned order dated 27th July, 2020, passed in G.R. Case No.196 of 2007 issuing Warrant of Arrest against the petitioner be stayed for a period of three weeks from hence, subject to the condition that the petitioner shall surrender before the learned court below within such stipulated period of time, and if any bail application is furnished upon surrendering, the same shall be disposed of in accordance with the provisions of the law, providing sufficient opportunity of hearing to either of the parties to this case.

With this direction/observation, the instant revisional application stands disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)