

03.08.2021
Ct No. 35
D/L 49
ab

C.R.R. 1387 of 2021
(Via Video Conference)

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

In re : Dilip Kumar Jaiswal @ Dilip Kr. Jaiswal & Anr.
... Petitioners

Mr. Kallol Mondal,
Mr. Krishan Ray,
Ms. Amrita Chel,
Mr. Souvik Das,
Mr. Anamitra Banerjee,

... for the petitioners

No one appears on behalf of the Union of India, though on July 9, 2021, Union was represented by the learned Additional Solicitor General.

By an order dated April 3, 2021, the learned Chief Judicial Magistrate, Howrah, issued a warrant of arrest against the petitioners.

Mr. Kallol Mondal, learned advocate for the petitioners, submits that an order has been passed by a Coordinate Bench of this Court in CRR No. 954 of 2021 whereby the learned Judge stayed the warrant of arrest issued against the petitioners in that case and directed them to co-operate with the investigation.

Mr. Mondal prays for a similar order to be passed in this revisional application.

This application for quashing, however, has not been pressed on merit by Mr. Mondal. I am of the opinion that without going into the merits of the case, this revisional application may be disposed of by directing the petitioners to surrender before the learned Chief Judicial Magistrate, Howrah, within a period of eight weeks from date. If the petitioners surrender before the learned Magistrate within the stipulated time, as above, the learned Magistrate shall consider the prayer for bail of the petitioners in accordance with law.

In the event the petitioners fail to surrender before the learned Magistrate, the warrant of arrest issued against the petitioners shall revive and the learned Magistrate will be at liberty to execute the same in accordance with law. The investigation of the case will proceed in accordance with law and the same need not be interfered with at this stage.

The revisional application being C.R.R. 1387 of 2021 is, thus, disposed of.

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

(Kausik Chanda, J.)