

30.09.2021
Ct No. 35
D/L 17
ab

C.R.R. 1931 of 2021
(Via Video Conference)

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

In re : **Swapan Basu Mallick,**

... Petitioner

Mr. Mazhar Hossain Chowdhury,
Mr. Suman Karmakar,

... for the petitioner

Ms. Sukanya Bhattacharyya,

... for the State

It appears that the learned Assistant Sessions Judge, Bishnupur, Bankura, issued a warrant of arrest against the petitioner for his absence on the date of charge hearing.

The petitioner is an accused of an offence under Sections 363/366/120B of the Indian Penal Code, 1860.

It has been submitted by the learned advocate for the petitioner that due to some mis-communication with his learned advocate, the petitioner could not appear before the learned Judge in the Court below on the date of charge hearing.

It has, further, been submitted that the petitioner is ready and willing to surrender before the learned Magistrate in the Court below on any date that may be specified by this Court.

In view of the aforesaid submissions, the revisional application is disposed of with a direction upon the petitioner to

surrender before the learned Additional Assistant Sessions Judge, Bishnupur, Bankura, within a period of four weeks from date. The warrant of arrest issued against the petitioner shall remain stayed for the period of four weeks.

If the petitioner surrenders before the learned Judge in the Court below within the stipulated time, as above, the learned Judge shall consider the prayer for bail of the petitioner in accordance with law.

In the event the petitioner fails to surrender, the stay granted by this Court shall automatically stand vacated, and the learned Judge in the Court below will be at liberty to execute the warrant in accordance with law, without being influenced by this order.

The revisional application being **C.R.R. 1931 of 2021** is, thus, disposed of.

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

(Kausik Chanda, J.)