

08.06.2022

Item No.20
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 64 of 2022

**Md. Sajibul Haque
versus
The State of West Bengal**

In Re: An Application under Section 482 read with Sections 397/401 of the Code of Criminal Procedure, 1973.

Mr. Banibrata Datta,
Md. Safiur Rahaman ... For the Petitioner.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Imran Ali,
Ms. Debjani Sahu ... For the State.

The present revisional application was preferred challenging the order dated 15.12.2021 passed by learned Additional Chief Judicial Magistrate, Malda in connection with Harishchandrapur Police Station Case No. 531 of the 2020 dated 14.08.2020 under Sections 341/326/307/325/34 of the Indian Penal Code and added Section 302 of the Indian Penal Code.

I have considered the order dated 15.12.2021 and also the non-execution report which was handed over by Mr. Mukherjee, learned Public Prosecutor. The grievance of the petitioner is that that the proclamation and attachment order was passed on the same date. There is some substance in the submissions of the learned advocate appearing for the petitioner, but having regard to the conduct of the present petitioner, who had been evading the process of law, I am of the opinion that the order of attachment which was issued on

15.12.2021 would be recalled only after the petitioner surrenders/appears before the jurisdictional court.

With the aforesaid observations, the revisional application being CRR 64 of 2022 is disposed of.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

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

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

(Tirthankar Ghosh, J.)