

28-11-2022
Subha
Item no 11
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 118 of 2021
With
CRAN 2 of 2021

Nabin Jaiswal.
-versus-
State of West Bengal & Anr.

Mr. Sudip Ghosh
Mr. Bitasok Banerjee
.....for the State.

The present application was preferred challenging the order passed by the learned Judicial Magistrate, 4th Court, Barrackpore wherein the learned trial court was pleased to reject the application under Section 205 of the Code of Criminal Procedure in connection with complain case No. C/83 of 2019.

I find that the revisional application was initially admitted on 19th January, 2021 and thereafter the warrant of arrest issued by the learned Magistrate was stayed on 3rd February, 2021.

The contention of the petitioner is restricted to his prayer before the learned Magistrate to be considered in respect of the appearance in the day-to-day proceedings of the court.

Having regard to the ratio settled by the Hon'ble Supreme Court in the case of Puneet Dalmia -vs- CBI reported in 2020(12) SCC 695, I direct that the learned trial court would check whether the parameters are satisfied or not in respect of the petitioner for exempting his personal appearance in the day to day

proceedings with undertakings as has been spelt out in the reported judgement and thereafter either allow or reject the revisional application.

Accordingly, the revisional application being CRR 118 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]