

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
CRIMINAL Revisional JURISDICTION

Present:

The Hon'ble Justice Jay Sengupta

C.R.R. 438 of 2022

Md Ilias

-vs-

State of West Bengal

For the Petitioner : Mr. Ansuman Bera

For the State : Mr. Saswata Goptal Mukherjee, Ld. PP
Mr. Imran Ali,
Mrs. Debjani Sahu

Heard on : 17.02.2022

Judgment on : 17.02.2022

Jay Sengupta, J.:

This is an application challenging the issuance of warrant of arrest against the petitioner.

Let a copy of this application be served upon Mr. Imran Ali and Mrs. Debjani Sahu, learned counsels, who are present in court today and who ordinarily appear on behalf of the State. Their engagement

may be regularised in due course by the competent authority of the State.

Learned counsel for the petitioner submits as follows. The petitioner is an accused in a murder case. The FIR was lodged against unknown accused. However, on 09.04.2013 the petitioner was arrested in connection with the case. On 05.07.2013 the petitioner was granted bail. Thereafter, he had been regularly attending the Court. However, on 27.07.2017 due to some miscommunication, the petitioner was absent before the learned Trial Court and did not take any steps. Accordingly, a warrant of arrest issued on that date. The same remains pending. Under a misconception that the petitioner need not attend the Court anymore, he did not appear before the learned Trial Court. At present, the petitioner wants to join the proceeding.

Learned counsel for the State submits that process against the petitioner should not be stayed as he is absconded since long.

I have heard the submissions of the learned counsel for the petitioner and have perused the revision petition.

It appears that the petitioner had not taken steps before the learned trial court and remained absconding since 27.07.2017.

As such, I do not consider this to be a fit case where the

warrant of arrest issued against the petitioner could be stayed.

Accordingly, the revisional application is dismissed.

There shall, however, be no order as to costs.

It is needless to say that the petitioner is always at liberty to surrender before the learned Trial Court and in the event he surrenders before the learned trial court and prays for bail, his application for bail may be considered in accordance with law.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)