

16-06-2022
Subha
Item no.96
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1146 of 2022

In the matter of : **Sk. Amirul Islam**petitioner.

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

Mr. Mahammad Mahmud
Mr. Mahfuzus Salam Mollah
Mr. Biswajit Bhattacharya
.....for the petitioner.

Learned advocate appearing for the petitioner submits that the dues referred to in the M. C. Ex. Case No. 346 of 2019 has already been paid. There are no dues. According to the petitioner, the execution case which has been filed is misconceived and the applicant has filed such case even after receiving the amount of the period referred to in the execution case.

In view of such submissions, I direct that the petitioner/husband would produce the necessary documents before the learned Magistrate in seisin of the execution case. Learned Magistrate would consider the same and if the learned Magistrate finds that the amount referred to therein has been already paid by the petitioner, the learned Magistrate would recall the warrant of arrest. In the alternative, the learned Magistrate would proceed in accordance with law.

With the aforesaid observations, the revisional application being CRR 1146 of 2022 is 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]

