

C.R.R. 1434 of 2022

In the matter of:- **Debashish Saha.**

05.05.
2022

Mr. Saheb Banerjee

...for the petitioner

Although this is an application for quashing of a complaint case under Section 138 of the Negotiable Instruments Act, learned counsel appearing for the petitioner submits that the petitioner would not like to press for the same and would instead pray for stay of the warrant of arrest so that he can surrender before the learned trial Court and defend the case there.

Learned counsel appearing on behalf of the petitioner further submits as follows. The petitioner was not served with any summons in the present case. He came to know about the impugned proceeding only after police came looking for him to execute a warrant of arrest issued against him. The petitioner may be allowed to surrender before the learned trial Court and join the proceeding.

I have heard the submissions of the learned counsel appearing on behalf of the petitioner and have perused the revision petition.

On the prayer of the learned counsel appearing

for the petitioner, the prayer for quashing of the proceeding is dismissed not pressed.

However, in the interest of justice, the warrant of arrest issued against the petitioner shall remain stayed for a period of four weeks from this date. The petitioner shall surrender before the learned trial Court within such time. In the event, the petitioner surrenders before the learned trial Court within the stipulated time and prays for bail, his application for bail shall be considered in accordance with law.

With these observations, the revisional application is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

The parties shall act on the basis of copy of the order downloaded from the official website of this Court.

(Jay Sengupta, J.)