

Court No.
39
Item 36
Ssi

18.05.
2022

C.R.R. 1631 of 2022

In the matter of:- **Shyamal Mondal & ors.**

Ms. Karabi Roy

...for the petitioners

Mr. Imran Ali

Ms. Pushpita Saha

..for the State

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

Let a copy of this application be served upon Mr. Imran Ali and Ms. Pushpita Saha, learned advocates, who are present in Court today and who ordinarily appears on behalf of the State. Their engagement may be regularised in due course by the competent authority of the State.

Learned counsel for the petitioners submits as follows. The petitioners are the accused in this case. The petitioner no.3 is aged about 93 years. The First Information Report in this case was lodged in 1993. Thereafter, the proceeding has remained pending for numerous reasons. In 2012, an application for withdrawal of prosecution was filed under Section 321 of the Code, the same was finally rejected in 2021. The present petitioners had been regularly attending the

Court after obtaining bail. However, on a couple of occasions, the petitioners were unable to attend the Court, although steps were taken. A warrant of arrest was issued on 26.04.2022. The petitioners want to join the proceeding at the earliest.

Learned counsel for the State submits that the accused petitioners should surrender before the learned trial Court at the earliest.

It is very surprising that the present matter had been pending for merely 29 years. Till date, even charges have not been framed.

It further appears that warrant of arrest was issued against the present petitioners although steps were taken on their behalf on the particular date.

In view of the above, the warrant of arrest issued against the petitioners shall remain stayed for a period of six weeks from this date. The petitioners shall surrender before the learned trial Court within such time. In the event, the petitioners surrender before the learned trial Court within the stipulated time and pray for bail, their application for bail shall be considered in accordance with law.

Thereafter, the learned trial Court shall make all endeavours to conclude the proceeding as expeditiously as possible.

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.

(Jay Sengupta, J.)