

27.06.2022

Sl. No. 35

Srimanta

Ct.No. 42

CRR/2057/2022

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In the matter of : **Pradip Sarkar**

...petitioner.

Mr. Abhra Mukherjee, Adv.,

Mr. Sauradeep Dutta, Adv.

...for the petitioner.

Ms. Faria Hossain, Adv.,

Mrs. Sujata Das, Adv.

...for the State.

On perusal of the instant criminal revision and the impugned order, this Court is of the view that the instant revision can be disposed of here and now. By an order dated 18th May, 2022, the Learned Judge, Special Court and Additional District Judge, 2nd Court at Malda passed an order of issuance of warrant of proclamation and attachment against accused, Pradip Sarkar.

The impugned order *per se* is illegal in view of the fact that order of attachment cannot be passed without obtaining a report of proclamation. Therefore, the impugned order is set aside. The instant revisional application is, thus, **allowed** on contest.

Parties are directed to act upon server copy of the order.

(Bibek Chaudhuri, J.)