

CRR 1989 of 2007
With
IA No: CRAN 2/2008 (Old No: CRAN 336 of 2008)

Puja Singh & Ors.
Vs.
The State of W. B. & Anr.

Mr. Deepak Prahladka

Ms. Reshmi Khatun

.....For the Petitioners

Mr. S. G. Mukherjee, Ld. P. P.

Ms. Baisali Basu

Mr. Aniket Mitra

.....For the State

In this case there are seven petitioners although three of the petitioners being Pradip Singh, Anil Gupta and Kishori Ram appeared before the learned Metropolitan Magistrate, 9th Court, Calcutta as the report submitted by the concerned officer of the Detective Department reflects the same. The identity has been established by the concerned officer in presence of the learned Magistrate and the affidavits in this regard have been filed.

Having regard to the availability of the petitioner even after 15 years and without entering into the legality of the order which was passed by the learned Chief Judge, City Sessions Court at Calcutta in Criminal Revision No. 143 of 2006 by his order dated 23rd May, 2007, I direct the learned Metropolitan Magistrate, 9th Court, Calcutta to allow the petitioners to continue on the same bail and bond. If there is any change of address or particulars, the petitioners would furnish the same before the learned Metropolitan Magistrate, 9th Court, Calcutta. Hence, the petitioners would make their physical appearance before the learned Metropolitan Magistrate, 9th Court, Calcutta on 28th September, 2022 when the officer concerned of the Detective Department and the petitioners both would be present. Learned Magistrate will see regarding the presence of the accused persons who are available before the court

and the absentee accused would be issued summons which would be returnable on 1st of November, 2022. The learned court thereafter will issue harsher process of law, warrant of arrest, proclamation in accordance with law and take steps for commitment of the case to the court of sessions. The whole process should be completed by 31st December, 2022.

It has been pointed out by Mr. Prahladka that one of the accused persons Pradip Singh is presently bed ridden and is unable to pursue movement on his own. Learned advocate submits that he may take help of Ambulance for the purpose of appearance before this Court. It would be at the discretion of the learned Magistrate to decide regarding the mode and manner of recording his physical appearance on the date so fixed. So far as other accused persons are concerned, they should be physically present before the Court on the date so fixed by the Learned Metropolitan Magistrate, 9th Court, Calcutta. It is reiterated that all steps must be taken for commitment of the case by December 31, 2022. The officer engaged in this case must be present on each and every date so that the progress must be monitored.

Report so submitted be kept with the record.

Department is directed to send back the lower court records by 22nd September, 2022 before the learned Metropolitan Magistrate, 9th Court, Calcutta.

With the aforesaid direction CRR 1989 of 2007 is disposed of.

(Tirthankar Ghosh, J.)