

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

**C.R.R. 2227 of 2022
Md. Qaiyoun alias Md.Kayam alias Mohammad Qaiyeum & Anr.
Vs.
State of West Bengal**

**For the petitioner : Mr. Q.A.M. Firoz, Adv.
Mr. Arun Shaw, Adv.**

For the State : Mr. Pratick Bose, Adv.

Heard on : 11.07.2022

Judgment On : 11.07.2022.

Bibek Chaudhuri, J.

An order dated 20th June, 2022 passed in G.R. Case No.1379 of 2019 under Sections 498A/307/34 of the Indian Penal Code read with Section 3 / 4 of Dowry Prohibition Act pending before the learned Additional Chief Judicial Magistrate, Kandi is asserted in the instant revision.

On perusal of the materials on record, this Court is of the view that the instant criminal revision can be disposed of here and now. Accordingly, Mr. Pratick Bose, learned Public Prosecutor-in-Charge is requested to appear in the instant case on behalf of the State.

Appointment of Mr. Bose be regularized by the learned Legal Remembrancer, Government of West Bengal.

G.R. Case No.1377 is now pending before the learned Additional Chief Judicial Magistrate, Kandi, Murshidabad for commitment. There are 7 charge-sheeted accused persons. On 20th June, 2022 all the accused persons were absent. Therefore, the case could not be committed to the Court of the learned Sessions Judge, Murshidabad. Accordingly, learned Additional Chief Judicial Magistrate, Kandi issued warrant of arrest against the above-named petitioners.

It is submitted by the learned Advocate for the petitioners that the petitioners are residing in Lucknow. It was not possible for them to attend the Trial Court from Lucknow on 20th June, 2022 due to some law and order problem. The petitioners will appear before the Court below on the date fixed by this Court and the execution of warrant of arrest may be stayed.

In view of such submission made by the learned Advocate for the petitioners, the instant revisional application is disposed of directing the petitioners to appear before the Court of the learned Additional Chief Judicial Magistrate at Kandi positively on 28th July, 2022.

The learned Additional Chief Judicial Magistrate, Kandi is directed to commit the case on the date of appearance of the petitioners/accused persons so that they may return Lucknow without unnecessary delay.

The learned Additional Chief Judicial Magistrate, Kandi is further directed that on appearance/surrender of the accused persons before the Court below, they shall be enlarged on fresh bail.

Execution of warrant of arrest be stayed till 31st July, 2022.

With the above order, the instant criminal revision is **disposed of.**

The petitioners are at liberty to communicate this order in the Court below obtaining server copy of the same.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.100.
M/L.**