

20-01-2022
Subha
Item no. 10
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
(Via video-conference)

C.R.R 2003 of 2019

In Re: An application under Section 482 of the Code of Criminal Procedure.

In the matter of : Md. Dildar Hossain ...Petitioner.

Mr. Amitava Karmakar
Mr. Arup Kumar Bhowmick
....for the petitioner.

Mr. Saswata Gopal Mukherji, Id. PP,
Mrs. Debjani Sahu
..for the State.

Learned advocate appearing on behalf of the petitioner submits that petitioner is a B.S.F personnel, presently posted at Kashmir. Additionally, learned advocate appearing for the petitioner submits that the petitioner was regularly appearing before the court but the records were not traceable, subsequently, all of a sudden, records were placed before the learned Chief Judicial Magistrate, Malda and warrant of arrest was issued on 4th September, 2018 and thereafter, harsher process of law was also issued.

In view of the submissions advanced by the learned advocate for the petitioner that the petitioner was earlier released on bail, I direct the learned Chief Judicial Magistrate, Malda that in case the petitioner surrenders/appears before the learned court by 15th

February, 2022, the learned court would release the petitioner on fresh bond and on suitable terms and conditions as it think fit and proper. The warrant of arrest and proclamation/attachment be stayed till 16th February, 2022. In case the petitioner appears and surrenders before the learned court, the same may be recalled by the learned Chief Judicial Magistrate, Malda.

It is, however, directed that once the petitioner appears before the court, the learned Chief Judicial Magistrate, Malda is directed to take steps for commitment of the case within a period of one week thereafter.

The learned Sessions Court who will be conducting the case is directed that all efforts must be taken for concluding the trial within a period of six months from the date of the receipt of the records. The petitioner should not be shown any leniency as he is B.S.F personnel and his further presence before the trial court should not be condoned.

With the aforesaid observations, the present revisional application being CRR 2003 of 2019 is disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

