

26.09.2022
Item No.3.
Mithun
Ct.42

CRR 3443 of 2022

Md. Shahid @ Said Ali @ Chattu
Vs.
The State of West Bengal & Anr.

Mr. Jagannath Ganguly, Adv.

...for the petitioner.

Mr. Sandip Chakrabarty, Adv.

...for the State.

In connection with Case No.87161 of 2015 arising out of a police report under Section 401A of the Kolkata Municipal Corporation Act against the petitioner, warrant of arrest has been issued by the learned Senior Municipal Magistrate, Kolkata vide order dated 16th June, 2022.

It is frankly submitted by the learned Advocate for the petitioner that the accused will voluntarily surrender before the Trial Court and the warrant of arrest may be kept in abeyance for the time being. This Court is of the view that the instant revision can be disposed of here and now with the assistance of the learned Public Prosecutor-in-Charge.

Mr. Sandip Chakrabarty, learned Public Prosecutor-in-Charge is requested to represent the State.

It is submitted by Mr.Chakrabarty that since the accused/petitioner wants to voluntarily surrender before the Trial Court, he should be given an opportunity and warrant of arrest may be kept in abeyance for the time being.

In view of such submission made by the learned Public Prosecutor-in-Charge and considering the prayer made by the learned Advocate for the petitioner, execution of warrant of arrest issued against the petitioner vide order dated 16th June, 2022 be stayed for a period of 2 weeks after verification and in the meantime, the petitioner is directed to surrender before the Trial Court.

The Trial Court shall consider the application for bail of the petitioner independently without being influenced in any way by the instant order passed for the disposal of this revisional application.

The parties are at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)