

CRR 3694 of 2022

In re : An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of:- Suraj Kumar Laha

Mr. Uday Sankar Chattopadhyay
Mr. Debdipto Banerjee
.....for the petitioner

Learned advocate for the petitioner has prayed for interference by this Court in respect of the proceedings being Misc. Execution Case No. 123 of 2022 arising out of Misc. Case No. 539 of 2021, which is the proceeding under Section 12 read with Sections 18/19/20/21/22 of the Protection of Women from Domestic Violence Act, 2005 and the additional prayer has been advanced for interfering with the order dated 25th August, 2022.

Learned advocate for the petitioner has pointed out to this Court that by the order dated 25th August, 2022, the learned Magistrate was pleased to stay the execution of warrant of arrest till the next date. Although, the next date is not reflected in the copy of the order. It has been submitted that the next date has been fixed on 18th October, 2022.

Records also reflect that an appeal has been preferred being Criminal Appeal No. 38 of 2022 before the learned District & Sessions Judge, Howrah, date for which has been fixed on 5th December, 2022 before the Appellate Court.

In view of the petitioner being remediless during the

vacation. The suspension of the warrant of arrest till the next date passed by the learned Magistrate is extended till 18th November, 2022.

The Learned Appellate Court in seisin of Criminal Appeal No. 38 of 2022 would fix a date in the 1st week of November, 2022 and try to address the issue of warrant of arrest pending before the learned Magistrate as well as assess whether any dues are pending in respect of the appellant/present petitioner before the Magistrate's Court.

With the aforesaid observations, CRR 3694 of 2022 is disposed of.

Pending application, if any, is consequently disposed of.

Parties shall act on a server copy of this order, duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)