

CRR 2682 of 2013

In the matter of:- Srinjoy Bose.

.....Petitioner.

None appears on behalf of the petitioner.

The present revisional application has been filed by the petitioner for setting aside the order dated 8.7.2013 passed by the learned Judicial Magistrate, 7th Court at Alipore, 24-Parganas(South) in complaint Case No. C/4816 of 2011.

The brief fact of the case is that the opposite party – complainant filed the petition of complaint and summons were issued against the petitioner and others under Sections 500/501 of the Indian Penal Code. Thereafter, due to non-appearance of the petitioner the warrant of arrest was issued against the petitioner and one other. The petitioner prayed for recalling of the warrant of arrest, however his such prayer was rejected by the court. Being aggrieved by and dissatisfied with the said order, the petitioner has preferred the present revisional application.

It is found from the order annexed to the revisional application that on examination of complainant and one other witness and upon primary satisfaction summons were issued against the petitioner-accused and one other under Sections 500/501 of the Indian Penal Code by the trial court. Further it appears from the order dated 03.08.2011 that in spite of due service of summons, the petitioner failed to appear before the court and warrant of arrest was issued against him. From

order dated 8.7.2013 it is found that the petitioner prayed for recall of warrant of arrest (issued on 3.8.2011), which remained pending for more than two years.

Thus, this court finds that there is no such illegality in the impugned order under challenge and does not call for any interference.

In the light of above discussion, the present revisional application stands dismissed.

All connected applications stands disposed of.

Interim order, if any, stands vacated.

Urgent photostat certified copy of this order, if applied for, be supplied expeditiously after complying with all necessary legal formalities.

(Bivas Pattanayak, J.)