

27-06-2023
Subha
Item no. 84
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 397 of 2023

Bikash Kumar Singha
-versus-
The State of West Bengal & Anr.

Mr. Aniket Mitra
Mr. Subranil Dey
....for the petitioner.

The petitioner is permanently staying at Visakapatnam, Andhra Pradesh and is employed at Simhadri National Thermal Power Corporation. The petitioner has been implicated in connection with this case under Section 138 of the N. I. Act in connection with C R No. 281 of 2021. Now the petitioner applied for being exempted from personally appearing in the day to day proceedings before the learned Judicial Magistrate, 1st Class, 3rd Court, Jangipur, Murshidabad. The learned 3rd court, Jangipur, Murshidabad partly allowed the prayer under Section 205 of the Code of Criminal Procedure.

Learned Magistrate is directed to henceforth not to insist on the first appearance and the date of plea. An undertaking will be given by the learned advocate for the petitioner/accused that in any future revisional application or appeal, the petitioner will not challenge the mode and manner of examination of plea under Section 251 of the Code of Criminal Procedure. If such an application is made, the petitioner's plea may be recorded through his advocate who would be representing him under Section 205 of

the Code of Criminal Procedure. Petitioner would appear as already directed by the learned Magistrate as and when called for and on the dates fixed for the purposes under Section 313 of the Code of Criminal Procedure and on the date of delivery of the judgement.

With the aforesaid observations, the present revisional application being CRR 397 of 2023 is disposed of.

Pending applications, if any, are consequently 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]