

19.01.2023

Item No.31
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 945 of 2021

**Sri Joydip Ghosh
versus
State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

This revisional application was preferred challenging the order dated 19.02.2021 and 15.03.2021 passed by learned Additional Chief Judicial Magistrate, 2nd Court, Kalyani, Nadia in connection with case No. 662C of 2018.

The petitioner approached this Court with a grievance for issuance of warrant of arrest and imposition of 25% of cheque amount as a condition of bail. The stage at which the petitioner approached this Court, the evidence of the case was in progress. At the time of admission of this revisional application, a coordinate Bench of this Court by its order dated 30.04.2021 was pleased to stay the warrant of arrest for a period of six weeks and directed the learned trial court to proceed with the trial without insisting upon the petitioner to deposit 25% of the Cheque amount.

Today when the matter has been called, none appeared on behalf of the petitioner. No accommodation has been sought for. Considering the nature of the order passed on 30.04.2021, I direct the learned trial court to proceed with the trial of the case if the same has not been concluded.

The petitioner is directed to be vigilant in course of the trial and be physically present on the date so fixed. The warrant of arrest so issued be set aside in case the petitioner has subsequently participated in the trial.

Learned trial court would direct the petitioner to report to the jurisdictional police station in case there is non-cooperation in the progress of the trial.

The amount of 25% of the cheque amount which was directed by the learned trial court to be deposited be kept in abeyance till the conclusion of the trial.

With the aforesaid observations, the revisional application being CRR 945 of 2021 is disposed of.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)