

June 22, 2023
AD -82
Ct. 34
SG

CRR 1220 of 2023

Shefali Dhali
-versus-
The State of West Bengal and another

Mr. Dhananjoy Banerjee
Ms. Oindrila Ghosh
... for the petitioner

Mr. Madhusudan Sur, Id. APP
Mr. Dipankar Paramanick
... for the State

Learned advocate appearing for the petitioner challenges the issuance of proclamation and attachment which were not in accordance with law and in violation of the provisions of Sections 82 and 83 Cr.P.C.

I have perused the said order and I find that no satisfaction was recorded by the learned magistrate and the time period required for issuance was also not adhered to.

Having considered the submissions and the limited prayer particularly the petitioner being a lady and the mother-in-law of the deceased, I direct that the execution of proclamation and attachment so issued by the learned Additional Chief Judicial Magistrate, Basirhat be kept in abeyance till 21st July, 2023.

However, warrant of arrest so issued by the learned court is not interfered with and the learned court would be

at liberty to pass necessary direction for execution of the same.

Petitioner would be at liberty to exhaust her remedies in the meantime.

Learned magistrate on and from 24th July, 2023 would revive the steps for issuance of proclamation and attachment in accordance with law.

With the aforesaid observations, CRR 1220 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

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

(Tirthankar Ghosh, J.)