

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 1255 of 2023

**Sk. Basir
Vs.
The State of West Bengal**

Mr. Tapas Kumar Ghose
Mr. Tanmay Chowdhury
..for the petitioner

Mr. Ayan Bhattacharjee, Ld. Special P. P.
...for the State

Item No.18

Heard & Judgment on: 28.04.2023

Bibek Chaudhuri, J.

G.R. Case No. 779 of 2016 arising out of Labpur Police Station Case No. 197 of 2016 dated 18th September, 2016 under Sections 286/304/326/34 of the Indian Penal Code and Sections 3 and 4 of the Explosive Substance Act is pending before the learned Additional Sessions Judge at Bolpur. The petitioner is one of the accused in the

said case. The petitioner is a mason by profession and he works in Chennai. All along he was represented by his learned advocate under Section 317 of the Code of Criminal Procedure. However, on 6th March, 2023 learned advocate on behalf of the petitioner did not take any step and due to his preoccupation in Chennai the petitioner could not appear before the trial Court. Therefore, the learned Magistrate issued warrant of arrest against the petitioner.

It is submitted by the learned advocated for the petitioner that the petitioner will surrender before the trial Court within specific period of time which will be granted by this Court and in that event warrant of arrest may be recalled.

I have heard the learned advocate for the petitioner.

The instant revision can be disposed of with the assistance of the learned Special P.P. Therefore Mr. Ayan Bhattacharjee, learned advocate is requested to assist this Court on behalf of the State of West Bengal.

I have heard the learned advocate for the petitioner as well as Mr. Bhattacharjee, learned Special P.P. Mr. Bhattacharjee has raised no objection and his concern is only to dispose of the case at an early date.

In view of such circumstances, the instant revision is disposed of directing the petitioner to surrender before the trial Court within three weeks from the date of this order.

In the meantime, execution of warrant of arrest be kept in abeyance.

(Bibek Chaudhuri, J.)