

19.06.2023

Item No.12
Ct.No.34
dc.

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

C.R.R. 2145 of 2023

**Sk. Sabir Ali @ Abdul Sabir Ali
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed in connection with G.R. Case No. 805 of 2010 arising out of Arambagh Police Station Case No. 289 of 2010 dated 25.09.2010.

Mr. Mrityunjoy Chatterjee,
Mr. Debapriya Majumder ... For the Petitioner.

Mr. Tanmay Kumar Ghosh,
Ms. Sujata Das ... For the State.

The petitioner is directed to serve a copy of this revisional application upon Mr. Tanmay Kumar Ghosh, learned advocate, who ordinarily appears for the State. His appointment may be regularised by the concerned authorities.

Mr. Chatterjee, learned advocate appearing for the petitioner submits that the petitioner is innocent of the charges and has been implicated in connection with the instant case. To that effect, the learned advocate draws the attention of the Court to Form 32.

Be that as it may, I find that the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly was pleased to issue warrant of arrest against the present petitioner.

In view of the undertaking given by Mr. Chatterjee, learned advocate for the petitioner, I direct that in case the petitioner appears before the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly by 07.07.2023 and

prays for bail, the petitioner's prayer for bail would be disposed of in accordance with law.

The learned Additional Chief Judicial Magistrate, Arambagh, Hooghly would take into consideration the factum of Form 32 regarding the period during which the petitioner was responsible for the day to day affairs of the company. In case, the petitioner was not responsible during the relevant period, the petitioner may be favoured with an order of bail.

The execution of warrant of arrest be stayed till 10.07.2023.

In case the petitioner does not surrender within the aforesaid period, the learned Additional Chief Judicial Magistrate, Arambagh, Hooghly would be at liberty to revive the warrant of arrest and the subsequent harsher process of law.

With the aforesaid observations, the revisional application being CRR 2145 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties including the learned Trial Court 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.)