

17.07.2023

Item No.31
Ct.No.34
dc.

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

C.R.R. 2673 of 2022

In the matter of : **Md Hasim @ Shahzada & Ors.** ... Petitioners.

Earlier this revisional application was called on 12.06.2023 when none appeared on behalf of the petitioners.

Today also when the matter is called, none represented the petitioners.

The subject-matter of challenge in the present revisional application relates to an order dated 02.06.2022 passed by learned Municipal Magistrate, 2nd Court, Calcutta in Criminal Misc. Case No. 1732 of 2017 arising out of Garden Reach Police Station Case No. 172 of 2017 dated 03.08.2017 under Section 401A of the Kolkata Municipal Corporation Act, 1980. By the said order, the learned court was pleased to issue warrant of arrest against the petitioners.

The records of the present revisional application reflect that after completion of evidence when the learned Magistrate fixed date for examination of the accused persons under Section 313 of the Code of Criminal Procedure, the accused persons started evading the court, consequently the learned Magistrate had no option except to issue warrant of arrest. Accordingly, the order of the learned Municipal Magistrate, 2nd Court, Calcutta is in adherence to the provisions of law and do not call for any interference.

The revisional application being CRR 2673 of 2022 is, thus, dismissed.

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

All concerned 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.)