

02-08-2023
subha
Item no. 400
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2557 of 2023

Prabir Majumder
-versus-
State of West Bengal & Anr.

Mr. Susnigdho Bhattacharyya
Ms. Bidisha Chakraborty
....for the petitioner.

Mr. Saibal Bapuli, ld. APP
Mr. Arijit Ganguly
Mr. S. K. Dan
...for the State.

Report submitted by the State reflects that on four occasions police tried to execute the warrant of arrest, but the petitioner was not available at the address indicated in the cause title.

Learned advocate for the petitioner submits that the petitioner is a day labourer working in Calcutta, but although his permanent address is at Habra, North 24 Parganas.

Learned advocate for the petitioner additionally has submitted that the petitioner was not named in the FIR and he has only been named in the chargesheet. Consequently, the warrant, proclamation and attachment have been issued in close proximity of time and as such he has been taken by surprise and is unable to exhaust remedies available under the law. The proclamation and attachment so issued by the learned trial court be kept in abeyance till 18th August, 2023. Within the aforesaid period, the petitioner would be at liberty to exhaust his available

remedies. On 19th August, 2023 the orders related to proclamation and attachment would revive. The learned trial court thereafter would proceed in accordance with law.

With the aforesaid observations, the present revisional application being CRR 2557 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]