

01.09.2023

Item No.7
Ct.No.34
dc.

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

C.R.R. 2774 of 2022

In the matter of : **Rajendra Prasad Gandhi** ... Petitioner.

Mr. Ranjit Kumar Routh ... For the Petitioner.

The present revisional application was filed in the year 2022 being affirmed on 28.07.2022. The matter was called on 14.06.2023 when an accommodation was sought for on behalf of the petitioner.

Today again when the matter is called, an accommodation has been sought for on personal grounds.

The subject-matter of this revisional application relates to Misc. Execution Case No. 114 of 2021. The main case is under Section 125 of the Code of Criminal Procedure. The order dated 13.05.2022 which is the subject-matter of challenge relates to warrant of arrest being issued for non-payment of the amount in the execution case. More than one year, the present revisional application is pending. Pendency of this revisional application cannot be a ground for not paying any amount in the execution proceedings. *Prima facie*, it reflects that the amount which is due is about Rs.30,000/- only. In case the petitioner has already paid the said amount, the Misc. Execution case be dropped. If the same has not been paid till date, in that case the learned Magistrate is directed to execute the warrant of arrest with the aid of the superior officer of police.

With the aforesaid observations, the revisional application being CRR 2774 of 2022 is disposed of.

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.)