

ADSL 8
31.01.2023
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C.R.R.4088 of 2022

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure, 1973;

Nawaj Sarif Sk @ Nawaj Sarif @
Nawaz Sharif @ Nawaj Sharif
Versus
The State of West Bengal

Mr. Krishnendu Bhattacharyya,
Mr. Priyankar Ganguly.
...for the petitioner.

Learned advocate for the petitioner is present.

I have considered the grievance of the petitioner.
However, I find that the subject matter of the revisional application
relates to execution case in respect of a proceeding under Section
125 of the Code of Criminal Procedure. In the Execution Case
No.74 of 2022, the learned Judicial Magistrate, 1st Court, Jangipur,
Murshidabad was pleased to issue warrant of arrest.

Without entering into the legality of the warrant of arrest
and having regard to the purpose for which the provisions under
Section 125 of the Code of Criminal Procedure was brought in force,
I direct that the petitioner to deposit a sum of Rs.25,000/- on or
before February 7, 2023 and another sum of Rs.25,000/- on or
before February 27, 2023. The warrant of arrest so issued for the
time being be stayed till 8th February, 2023.

In case the petitioner deposits a sum of Rs.25,000/- with
the learned Judicial Magistrate, 1st Court, Jangipur, Murshidabad,
on or before 7th February, 2023 in that case, the learned Judicial

Magistrate would stay the further execution of warrant of arrest till 28th February, 2023. The learned Judicial Magistrate will thereafter check the remainder of the payments in respect of the execution case and fix dates for exhausting the claim submitted by the applicant.

With the aforesaid observations, CRR 4088 of 2022 is disposed of.

Pending application, if any, is consequently disposed of.

Learned Judicial Magistrate, 1st Court, Jangipur, Murshidabad is directed to act on a server copy of this order duly downloaded from the official website of this Court.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)