

D/L36
18.10.2023
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C.R.R.4121 of 2023

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

Chottu Shaw @ Ajay Shaw
Versus
The State of West Bengal

Mr. Pawan Kr. Gupta
Ms. Sofia Nesar
Mr. Santanu Sett.
...for the petitioner.

Mr. Madhusudan Sur
Mr. Dipankar Paramanick.
...for the State.

Warrant of arrest has been issued by the learned Additional District and Sessions Judge, Fast Track, 1st Court, Calcutta. There is an observation of the learned sessions court in the order dated 05.10.2023 particularly with regard to the directions passed by the Division Bench of the Hon'ble High Court while granting bail. The Division Bench while granting bail directed the petitioner to appear regularly and empowered the learned trial court to cancel the bail, if the petitioner fails to appear without any justifiable cause.

Learned advocate for the petitioner submits that, because of traffic congestion for political agitation in and around the Governor's House, the petitioner could not reach the court in time

and, as such, the warrant of arrest was issued.

I find from the records that the bail was granted on 25th July, 2023 and on October, 2023 the petitioner did not appear before the learned trial court. The adjournment application is very cryptic.

However, having considered that the petitioner was granted bail after the period of 300 days, I grant another opportunity to the petitioner. Petitioner would appear before the learned trial court on or before 20th November, 2023. In case, the petitioner appears before the learned trial court, he may be allowed to continue on the same bail and bond. The order of the Division Bench will remain in force. There must be some exhaustive reasons while seeking adjournment in case the petitioner for reasons beyond his control is unable to appear before the court. The last chance is granted to the petitioner to avail his liberty.

The warrant of arrest so issued be stayed till 24th November, 2023. In case the petitioner do not appear within the date so fixed, the learned trial court would revive the warrant of arrest after the time period referred to above.

With the aforesaid observations, CRR 4121 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

Learned trial court is directed to act on the 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.)