

24.01.2024

Item No.17
Ct.No.34
dc.

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

C.R.R. 22 of 2024

In the matter of : **Bidhan Chandra Kundu** ... Petitioner.

Mr. S. S. Roy,
Mr. D. K. Samanta,
Mr. Debapriya Samanta ... For the Petitioner.

Petitioner is aggrieved by the order dated 28.11.2023 to the extent that there was a direction by the learned Judicial Magistrate, 4th Court, Katwa wherein the learned trial court after granting bail to the petitioner insisted him to be present on all the subsequent dates.

Learned advocate appearing for the petitioner submits that an application under Section 205 of the Code of Criminal Procedure is pending in connection with Complaint Case 274 of 2022 (CIS-288/2022) under Section 138 of the Negotiable Instruments Act.

As the application under Section 205 of the Code of Criminal Procedure is pending and the offences complained of are bailable offence, I direct that the learned Judicial Magistrate, 4th Court, Katwa will not insist on further physical appearance of the accused till disposal of the application under Section 205 of the Code of Criminal Procedure. Needless to state that in such type of offences, the Hon'ble Apex Court has been pleased to lay down the conditions under which the personal appearance of the accused may be dispensed with in the day-to-day proceedings.

With the aforesaid observations, the revisional application being CRR 22 of 2024 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.)