

05.03.2024
Serial no. 4
[G.S.D]

CRR 464 of 2024

In the matter of : Polly Balmiki @ Polli Balmiki @ Polly
... .. Petitioner

Mr. Sabyasachi Mukherjee
Mr. Bibek Dey
Mr. Debarati Choudhury
Mr. Shyed N. Ahmed ... for the petitioner

Mr. Koushik Kundu
... for the State

A report has been submitted by the inspector in chare of Air Port Police Station, Bidhannagar Police Commissionerate.

The report reflects that warrant of arrest was issued in the wrong address in respect of Air Port P.S. Case No. 113 of 2005 dated 24.7.2005, wherein charge-sheet was submitted under sections 419/420/120B of the IPC.

There has been a prayer for issuing fresh warrant with correct address in detail so that the same may be executed which is pending before the Id. JM, 1st Court, Barrackpore.

More than 18 years have passed since the registration of the case. The complainant is without any remedy from the judicial system.

Hence, the Id. JM, 1st Court, Barrackpore *in seisin* of the matter would see the enclosures to the report which has been submitted by the Air Port P.S, which specifically reflects that incorrect addresses were furnished and the correct addresses are available in the charge sheet.

Having regard to the report so submitted, I direct the Id. JM, 1st Court, Barrackpore to issue fresh warrant of arrest as prayed for by the Inspector in charge of Air Port P.S. ensuring that the same is issued in respect of the accused persons and in proper address so that the same may be executed. All efforts be taken to execute the warrant of arrest and necessary directions be passed by the Id. JM, 1st Court, Barrackpore in connection with Air Port P.S. Case No. 113 of 2005 dated 24.7.2005.

The Id. Magistrate would, on receipt of the report from the police authorities regarding the fate of the execution, proceed to exhaust harsher process of law in respect of the accused persons, who do not appear before the court.

If required, the Id. Magistrate will split up the trial and take all efforts for concluding the trial at the earliest.

With the aforesaid observations, CRR 464 of 2024 is disposed of.

Pending application, if any, is also disposed of.

Report which has been submitted before this court be also placed before the Id. JM, 1st Court, Barrackpore.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)