

21.02.2024

Item No.55
Ct.No.34
dc.

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

C.R.R. 649 of 2024

In the matter of : **Prosenjit Paul @ Papai** ... Petitioner.

Mr. Aniruddha Bhattacharyya,
Ms. Anushka Bose ... For the Petitioner.

Petitioner earlier approached this Court and by an order dated 23.11.2023 in CRR 4275 of 2023, this Court directed the petitioner to surrender by 20.12.2023 by furnishing bond which should be title deed of property of either the petitioner himself or any of his relation. An additional direction was also passed that in case, the petitioner do not surrender before the learned jurisdictional court within the time schedule so fixed by this Court, the learned trial court would shift to the next stage of process and would insist on Section 82 of the Code of Criminal Procedure for execution of process.

The present is a fresh revisional application which has been taken out again for stay of warrant of proclamation so issued by the learned jurisdictional court.

Learned advocate appearing for the petitioner submits that no communication was made to the petitioner, neither the conditions so imposed were possible for the petitioner to comply and there was communication gap which led to the present order being passed by the learned sessions court. The earlier order was passed in front of the learned advocate for the petitioner who accepted the same. The present case is of the year 2015 and the offences are under Sections

395/397/120B of the Indian Penal Code read with Sections 25(1B)(a)/27 of the Arms Act. Charges were framed in the year 2016 and because of conduct of the present petitioner, the trial could not proceed.

Having regard to the totality of the circumstances, I am not inclined to interfere with the order so passed and the prayer so advanced by the learned advocate appearing for the petitioner.

Accordingly, the revisional application being CRR 649 of 2024 is dismissed.

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.)