

19.03.2024
Serial no. 5
[G.S.D]

CRR 1077 of 2023

With
CRAN 1 of 2023

In the matter of : Sekh Mani

... .. Petitioner

Mr. Akashdeep Mukherjee
Ms. Soumali Das

... for the petitioner

Md. Anwar Hossain

... for the State

The petitioner has prayed for recall of the order dated 20th September, 2023.

Ld. Advocate for the petitioner submits that no warrant was issued.

The records of the case reflect that the petitioner was directed to surrender and warrant was kept in abeyance till 31st of October, 2023.

In view of the submissions so advanced by the Id. Advocate for the petitioner, the part of the order so far as it relates to warrant of arrest being issued and directions to be stayed and further directing the petitioner to surrender before 31st of October, 2023, is recalled.

Records of the revisional application reflect that charge-sheet was submitted before the Id. Jurisdictional court. However, no document under section 207 of the

cr.p.c. was enclosed along with the present revisional application and only the formal charge-sheet and the formal FIR was enclosed.

Having regard to the fact that the revisional application which was filed, was premature, I am of the view that the petitioner would be at liberty to take up all the points at the stage of section 239 of the cr.p.c. at the time of consideration of charges by the Id. Jurisdictional court.

If any application, to that effect, is filed, the Id. Jurisdictional court would consider the same in accordance with law. No interference is made by this court at this stage so far as the merits of the main revisional application is concerned.

With the aforesaid observations, CRR 1077 of 2023 along with CRAN 1 of 2023 is disposed of.

Pending application, if any, is also disposed of.

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.)