

23-04-2024
Subha
Item no. 06
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1428 of 2024

Sri Chottu Mondal @ Diganta Mondal
-versus-
State of West Bengal

Mr. Debasis Kar
Mr. Arka Tilak Bhadra
....for the petitioner.

Ms. Sreyasheee Biswas
Ms. Puja Goswami
....for the State.

Report so submitted by the learned advocate for the State be kept with the record.

Mr Kar, learned advocate appearing on behalf of the petitioner submits that the petitioner is ready and willing to surrender before the learned A.C.J.M, Barrackpore in connection with Ghola P. S Case No. 287 of 2020 dated 17-07-2020.

Learned advocate submits that erroneously the petitioner was advised to pray for anticipatory bail and the same was prayed before the learned Sessions Judge which was rejected. According to the petitioner he was earlier on bail and because of mis-communication in the month of November, 2023, warrant of arrest was issued and subsequently prayer for proclamation was advanced and the same was issued by the learned ACJM, Barrackpore.

Having regard to the close proximity of time within which the warrant of arrest and proclamation have been issued, I am of the view that in case the petitioner surrenders before the learned ACJM, Barrackpore by 10th May, 2024 and the learned ACJM, Barrackpore finds that the petitioner was earlier on bail he

may be allowed on the same bail, however a fresh bond be submitted before the learned ACJM, Barrackpore being title deed of a property within the jurisdiction of the sub-division of Barrackpore. On such appearance and surrender, the learned ACJM, Barrackpore will recall the warrant of arrest and the proclamation so issued.

However, if the petitioner do not surrender on or before 10th May, 2024, the learned ACJM, Barrackpore would be at liberty on the next working day to revive the proclamation so issued and if the statutory period is complete to take steps in accordance with Section 82 CrPC and thereafter Section 83 of the Code of Criminal Procedure.

With the aforesaid observations, the revisional application being CRR 1428 of 2024 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]