

16-05-2024
Subha
Item no. 16
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1696 of 2024
CRAN 1 of 2024

Lalima Ghosh
-versus-
The State of West Bengal

Mr. Arik Banerjee
Mr. Jayjit Dutta

....for the petitioner.

Mr. Debasish Roy, Id. PP
Mr. Arijit Ganguly
Ms. Sreemoyi Roy

....for the State.

Petitioner was earlier on anticipatory bail on 6th January, 2014 in connection with CRM 15448 of 2013. Thereafter, the Investigating Agency submitted charge-sheet on 30th June, 2014 under Section 409 IPC and warrant of arrest was issued. Till date the warrant of arrest has not been executed and is pending. The execution return of the said warrant of arrest is still pending as is reflected from the order dated 13th July, 2023 and the next date was fixed on 9th February, 2024.

Learned advocate for the petitioner submits that the petitioner after depositing the mis-appropriated amount was under the impression that the case is closed and as she is staying in a different location, the warrant of arrest was never executed.

Be that as it may, since the warrant of arrest is still pending and the petitioner initially was granted anticipatory bail, I direct that in case the petitioner appears/surrenders before the learned Special Judge, 3rd court, Barasat in connection with Special Case No. 07/2015 by 30th May, 2024,

the learned special court will recall the warrant of arrest and consider the order of anticipatory bail which was granted to the petitioner by a Division Bench of this court on 6th January, 2014.

However, if the petitioner do not appear or surrender by 30th May, 2024, the learned special court on the next working day would be at liberty to exhaust harsher process of law, if already not issued, by adhering to section 82 of the Code of Criminal Procedure for ensuring the appearance of the petitioner against whom the chargesheet has been submitted and the proceedings are pending.

With the aforesaid observations, the present revisional application being CRR 1696 of 2024 along with CRAN 1 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]