

09.04.2024

Item No.17
Ct.No.34
dc.

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

C.R.R. 1679 of 2023

In the matter of : **Smt. Reshmi Goswami** ... Petitioner.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick ... For the State.

Report dated 23.06.2023 submitted by Mr. Sur, learned advocate appearing for the State be kept with the record.

The said report reflects that a sum of Rs.40,000/- was deposited on 22.06.2023 and the report was prepared on 23.06.2023. I have considered the contents of the report wherein the police officers of Serampore Police Station claimed that they have tried their best to find out the opposite party no.2, but they could not find him out. Having considered the report, I am dissatisfied that when a person can deposit on 22.06.2023 before the cash section of the court, then why the police authorities have not been able to lay their hands on the person concerned.

The learned Magistrate in seisin of the case being Misc. Ex Case No. 06/2022 i.e. the learned Judicial Magistrate, 3rd Court, Serampore, Hooghly would hereinafter direct the superior officer of the police to act in case the concerned officer of the police station fails to comply with its order. The learned Magistrate in a given set of circumstances would also be empowered to issue proclamation as is required under Section 82 of the Code of Criminal Procedure.

If the Misc. Ex Case No. 06/2022 is still pending, learned Magistrate would direct for execution report regarding

the warrant of arrest and if the same is not executed either proceed towards the attachment of salary of the person concerned, if it is possible, in the alternative, the learned Judicial Magistrate would direct a superior officer of the police or the Officer-in-Charge, Missing Persons Squad, CID, West Bengal to send information and photograph of the opposite party no.2 to all police stations in India so that he can be traced.

With the aforesaid observations, the revisional application being CRR 1679 of 2023 is disposed of.

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.)