

Court No. 34

07.05.2024

(AD 85)

(S. Banerjee)

CRR 1885 of 2024

Sri Gour Chandra Chatterjee @ Gour Chatterjee
Vs.
The State of West Bengal & Anr.

Mr. S. Agarwal
Mr. Tarak Nath Sarkar

... for the petitioner

Petitioner submits that warrant of arrest has been issued in connection with Complain Case No. 28C/2017 which is pending before the learned Judicial Magistrate at Ghatal in a proceeding under Section 138 of the Negotiable Instrument Act by an order dated 15.03.2024.

In view of the nature of the offence complained of is bailable, I am of the view that at the very first instance it would have been incumbent upon the learned Magistrate to issue a bailable warrant. Thus, if the petitioner surrenders and appears before the learned Judicial Magistrate at Ghatal in connection with Complain Case No. 28C/2017 by 31st May, 2024, the petitioner be released on bail subject to such terms and conditions as the learned Judicial Magistrate, Ghatal deems fit and proper. In case the petitioner do not appear or surrender by 31st May, 2024, on the next working day the learned Judicial Magistrate would be at liberty to issue harsher process of law by adhering to Section 82 Cr.P.C.

It is further directed that on appearance of the petitioner before the learned trial court, the warrant of arrest which was earlier issued be recalled.

With the aforesaid observation, CRR 1885 of 2024 is disposed of.

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

(Tirthankar Ghosh, J.)