

24-05-2024
Subha
Item no. 12
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2167 of 2024

Somnath Biswas @ Raju and Anr.
-versus-
The State of West Bengal

Mr. Prabir Majumder
Mr. S. Majumder
Ms. Sangeeta Chakraborty
....for the petitioner.

Mr. Arijit Ganguly
....for the State.

Petitioners are directed to serve a copy of the revisional application upon Mr. Arijit Ganguly, learned advocate who ordinarily appears on behalf of the State. His appointment may be regularized by the concerned Authorities in due course.

Learned advocate for the petitioners restricts his submissions to the extent that the execution return of the warrant of arrest which was issued on 2nd May, 2024 be stayed for a limited period as the petitioners have been diligent in appearing before the court and only on 2nd May, 2024 they did not appear.

I have checked the earlier order dated 25th April, 2024 and I find that the present petitioners namely Somnath Biswas @ Raju and Nilima Biswas were present through their advocates.

Mr. Majumder, learned advocate for the petitioners undertakes that henceforth the petitioners would be physically present before the court.

In view of the court having passed a harsher process of law at the first instance, I am of the view that an opportunity must be given to the present petitioners. Accordingly, if the petitioners appear and surrender before the

learned trial court being the learned Additional Sessions Judge, F.T.C-II, Krishnagar, Nadia in connection with Sessions Case No. 56(02)2021 by 10th June, 2024, the learned trial court would recall the warrant of arrest and will allow the petitioners to continue on the same bail and bond on such further terms as the learned trial court deems fit and proper.

However, if the petitioners do not appear or surrender by 10th June, 2024, the learned trial court on the next working day would be at liberty to exhaust harsher process of law by adhering to section 82 of the Code of Criminal Procedure.

With the aforesaid observations, the revisional application being CRR 2167 of 2024 is disposed of.

Pending applications, if any, are consequently disposed of.

Learned Additional Sessions Judge is directed to act upon the server copy duly downloaded from the official website of this Court.

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]

