

CRR No. 2342 of 2024

In the matter of : Firoj Sk @ Firoz Sk.

..... petitioner.

Mr. Pawan Kr. Gupta
Syed Julfikar Ali
Ms. Sofia Nesar
Mr. S. Sett

...for the petitioner.

Mr. Debasish Roy
Mr. Arijit Ganguly
Ms. Pushpita Saha

...for the State.

Report submitted by the State is taken on record.

The petitioner has assailed the order passed by the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad on 3rd May, 2024 in GR Case No.2545 of 2021 directing issuance of warrant of proclamation and attachment against the accused/petitioner on the same day.

It is needless to record that the said order directing issuance of warrant of proclamation and attachment on the same day is in violation of provision laid down under Section 82/83 of the Code of Criminal Procedure and is required to be set aside.

Learned counsel for the State submits that the warrant of proclamation and attachment has been executed and the property of the petitioner attached.

Since the order impugned is in violation of Section 82/83 of the Code of Criminal Procedure, the said order be set aside/quashed.

The petitioner's property attached in compliance of the said order be released. However, learned Magistrate is at liberty to take fresh steps against the petitioner for securing his attendance before the court, in accordance with law.

Accordingly, the revisional application being CRR 2342 of 2024 is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)