

20.06.2024
rc/ct.no.34
Item No.16

CRR No. 2341 of 2024

In the matter of : Arif Sk. & Ors.

.....Petitioners

Mr. Pawan Kumar Gupta
Syed Julfikar Ali
Ms. Sofia Nesar
Mr. Santanu Sett

...for the Petitioners

Petitioners assailed the order passed by the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad on July 14, 2022 in G.R.Case No. 2545 of 2021 issuing warrant of arrest against the petitioners on the ground that though the petitioners were granted anticipatory bail by the learned Sessions Judge, Murshidabad on March 09, 2022, warrant was issued against them by the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad without service of notice upon them.

The petitioners are directed to serve a copy of the application along with annexure thereto upon Mr. Ganguly, who is present in Court and usually appears for the State. The appointment of Mr. Ganguly be regularized by the appropriate authority.

By consent of the parties the revisional application is taken up for consideration.

It appears from the materials on record that the charge sheet has been submitted against the petitioners under Section

302 of the Indian Penal Code besides other provisions. The petitioners were granted anticipatory bail by the learned Sessions Judge, Murshidabad on March 09, 2022 in Criminal Misc. Case No.560 of 2022. Upon taking cognizance of the charge sheet, the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad by the order impugned dated July 14, 2022 directed issuance of warrant of arrest against these petitioners without service of notice upon them despite the fact that they were granted anticipatory bail earlier.

In view of the above, the portion of the order directing issuance of warrant of arrest against the petitioners be set aside/ quashed.

The petitioners shall surrender before the learned Additional Chief Judicial Magistrate, Jangipur, Murshidabad within 14 days from date and cooperate with the trial of the case.

The remaining portion of the order shall remain unaltered.

CRR No. 2341 of 2024 is disposed of accordingly.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent certified *website* copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)