

27.06.2024

SL. 130
Court No.
551
Sourav

C.R.R. 2278 of 2012

In re: An application Under Section 401 read with Section 482 of the Code of Criminal Procedure.

And

In the matter of: **Palash Chowdhury & Ors.**

... petitioners.

Mr. Mukul Biswas
Mr. Sourav Mandal

...for the petitioner no. 4 and 5.

Mr. Avishek Sinha

... for the State.

1. In this revisional application, the legality, propriety and correctness of the order dated 23.12.2011 as passed by the learned Chief Judicial Magistrate, Barasat in connection with Habra P.S. Case No. 208 dated 18.06.1995 has been assailed.
2. By the impugned order, learned trial Court issued warrant of arrest against five charge-sheeted accused persons. From the report dated 04.05.2024, it reveals that at present out of five accused persons, petitioner no. 4 herein namely, Sabita Biswas, the petitioner no. 5, Mukundu Biswas are on bail while the petitioner nos. 1 to 3, namely, Palash Chowdhury, Panchanan Chowdhury and Pradyut Chowdhury respectively are still at large since as against them warrant of arrest could not be executed.
3. In view of the facts and circumstances, this Court finds no infirmity in the order impugned.
4. Accordingly, the revisional application being **CRR 2278 of**

2012 is dismissed.

5. Before parting with, this Court grants liberty to the petitioner nos. 1 to 3, namely, Palash Chowdhury, Panchanan Chowdhury and Pradyut Chowdhury to surrender before the learned trial court within a fortnight from today and in the event, they appear and pray for bail, learned CJM, Barasat is directed to dispose of such bail petition in accordance with law.
6. With the disposal of the instant revisional application, all connected applications, if therebe any, stand disposed of. Interim order, if therebe any, stands hereby vacated.
7. Department is hereby directed to forward a copy of this order to the learned trial court forthwith.
8. Urgent photostat certified copy of this order, if applied for be given to the parties, upon compliance of necessary formalities.

(Partha Sarathi Sen, J.)

