

08.01.2024
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SR

CRR 3602 of 2011

In the matter of : Biswajit @ Biswanath @ Haradhan
Mazumder

.... for the petitioner.

The instant criminal revisional application is pending since 2011 and as such, required to be disposed of.

None appears for the parties.

The instant criminal revisional application has been filed for quashing of the proceeding being Chakdaha Police Station Case No.145 of 2008 dated 23rd March, 2008 under Sections 363/366/120B of the Indian Penal Code and also to stay the order dated 29th July, 2008 passed by the learned Additional Chief Judicial Magistrate, Kalyani, Nadia, thereby issuing the warrant of arrest against the petitioner.

Perused the contention of the petitioner in the Criminal Revisional Application as well as the annexed documents, the petitioner, Biswajit @ Biswanath @ Haradhan Mazumder was granted interim bail and he filed a petition for confirmation of the interim bail granted in his favour. However, he did not surrender before the Court despite the order of the Hon'ble High Court at Calcutta and, accordingly, warrant of arrest was issued against the said petitioner.

The statement of the victim girl recorded under Section 164 of the Cr.P.C. goes against the prosecution. However, since the charge-sheet has been filed and, *prima facie*, case has been established coupled with the fact of conduct of the petitioner evading his appearance before the learned trial court

the impugned order issuance of warrant of arrest against the petitioner has no illegality and impropriety in the same.

Under such circumstances, the instant Criminal Revisional Application being CRR 3602 of 2011 is, thus, dismissed.

A copy of the order be sent to the trial court for immediate compliance.

(Ananya Bandyopadhyay, J.)