

27.02.2024
Serial no. 9
[G.S.D]

CRR 3962 of 2023

In the matter of : Pankoj Kumar Sarkar

... .. Petitioner

Mr. Partha Ghosh
Mr. Amal Kr. Datta
Ms. Simran Surekha
Mr. Debasish Das

... for the petitioner

The petitioner is aggrieved by the fact that warrant of arrest was issued against him, although an accommodation was sought for.

Ld. Advocate appearing for the petitioner submits that the case has been continuing since 2016 and the petitioner has been diligent while appearing in court.

However, for reasons beyond control, he could not appear and an absent petition, to that effect, was filed on his behalf. In spite of the same, the Id. Court decided to issue stringent process of law.

Ld. Advocate submits that the petitioner do not intend to defy the order or direction of any court of law and undertakes to be present on each and every date so fixed by the Id. Trial court until and unless the situation is such that the physical presence becomes impossible.

Having considered the submissions so advanced by the Id. Advocate for the petitioner, I direct that in connection

with complaint case being CR 610 of 2016, if the petitioner, namely, Pankoj Kumar Sarkar, appears before the Id. JM, 3rd Court, Berhampore, Murshidabad on or before 15th of March, 2024, he shall be allowed to continue on the same bail and bond. The execution of warrant of arrest be stayed till 16th of March, 2024.

In case, the petitioner do not appear on or before 15th of March, 2024, in that case, the Id. Magistrate would be at liberty to take resort to harsher process of law in accordance with Sections 82 and 83 of the cr.p.c.

With the aforesaid observations, CRR 3962 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)