

May 2, 2024
AD 4
Ct. No.14
SG

WPA 24665 of 2023

Smt. Aditi Das
vs.
The State of West Bengal and others

Mr. Khairul Alam
... for the petitioner

Mr. Ansar Mondal
Mr. Md. Idrish
... for the State

Report filed by the State is taken on record.

Learned counsel for the petitioner submits as follows. A warrant is pending against the private respondent in connection with a proceeding under Section 125 Cr.P.C. started at the behest of the petitioner/wife.

Learned counsel for the State relies on the report and submits as follows. Despite several efforts the private respondent could not be arrested. Even the phone number provided by the petitioner is switched off. Notices have been pasted on the two flats belonging to the private respondent.

It appears that the private respondent is evading the due process of law although a warrant has been pending against him. Despite notices being sent to him and pasted on the door/wall of his two flats, he has not responded. Courts of law cannot remain as mute spectator in such situation. The police authorities are

directed to take necessary steps to secure the attendance of the private respondent.

If the warrant of arrest fails, appropriate application be made before the learned Magistrate for taking of further steps like having orders of proclamation and attachment issued against the private respondent.

Till the attendance of the private respondent is secured or the process is successfully executed against the private respondent, he shall not part with the two flats in question.

With these observations, the writ petition is disposed of.

Parties shall act on a server copy of this order duly downloaded from the official website of this Court.

[Jay Sengupta, J.]