

02.01.2024
Sl.No. 47
Ct. 32
Amalranjan

CRR 3742 of 2017

Sk. Nazir
Vs.
State of West Bengal

Mr. Amal Krishna Samanta
Mr. Arun Kr. Das.....for the petitioner

This instant application has been filed by the petitioner under Sections 401 and 482 of the Criminal Procedure Code, 1973, challenging the impugned order dated 14.9.2017 whereby the learned Additional District & Sessions Judge, Fast Track Court, Haldia, Purba Medinipur issued warrant of arrest against the petitioner in connection with Bhabanipur police station Case no. 76/2009 dated 01.07.2009 under sections 364, 412, 120B and 201 IPC relating to S.T. no. 14 of 2017.

In the said case, the petitioner was absent earlier on two dates by filing the application under section 317 of the Criminal Procedure Code. Lastly on 14.9.2017, the petitioner was also absent before the learned court below. In such a situation, the learned trial court rejected the application and issued warrant of arrest against the petitioner.

Being aggrieved with the said order, the petitioner has filed this revisional application with a prayer for recalling of the said order dated 14.9.2017 by giving a liberty to the petitioner to surrender before the learned court below.

For the interest of justice, this Court passed order earlier on 27.09.2018 as inter alia:

“That the warrant of arrest issued against the present petitioner in ST Case No. 14 of 2017 pending before the learned Additional District and Sessions Judge, Haldia, Purba Medinipur shall remain stayed till one week after the ensuing puja vacation. The petitioner shall be at liberty to surrender and pray for bail within such time and his application for bail shall be considered in accordance with law.”

Learned advocate for the petitioner submits that the petitioner has surrendered before the learned trial court and after surrender he obtained bail. The proceeding is continued. The stage of the proceeding is fixed for the evidence.

Having heard the submission of the Ld. Advocate and the present situation, this application has become infructuous and no merit.

Accordingly, the instant revisional application being **CRR 3742 of 2017** is disposed of.

Department is directed to send down the lower court records, if any, immediately.

Let the order be communicated to the Ld. Court below for information.

Liberty is granted to all parties to act in terms of the copy of this order downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties taking all legal formalities.

(Ajay Kumar Gupta, J.)