

19.12.2024
rc/ct.no.02
Item No.11

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Criminal Revisional Jurisdiction**

CRR No. 481 of 2024

In the matter of : Mintu Sarkar

.....Petitioner

Mr. Jaydeep Kanta Bhowmik
Mr. Sayantan Bhowmik
Ms. Sayantani Das

... for the Petitioner

Mr. Aditi Sankar Chakraborty
Mr. Abhijit Sarkar

...for the State

Petitioner is aggrieved by the order passed by the learned Special Court, Alipurduar on May 22, 2024 in Special Case No. 28 of 2024 and all subsequent orders passed therein.

It appears that warrant of arrest was issued against the petitioner vide order dated May 22, 2024 and upon receipt of non-execution report of the warrant of arrest, warrant of proclamation and attachment was issued by the learned Trial Court on June 12, 2024.

Simultaneous issuance of warrant of proclamation and attachment is in violation of provision under Sections 82 and 83 of the Code of Criminal Procedure. However, the warrant of proclamation and attachment has already been executed.

The petitioner undertakes to surrender before the learned Trial Court within two (2) weeks after the ensuing vacation. If the petitioner surrenders before the learned Trial Court within two (2)

weeks after the ensuing vacation and prays for bail, the learned Trial Court shall deal with the application in accordance with law.

In the event the petitioner fails to surrender before the learned Trial Court within the stipulated time frame, the learned Trial Court shall be at liberty to take necessary steps in accordance with law.

The revisional application being CRR No. 481 of 2024 is disposed of.

There shall be, however, no order as to costs.

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

(Suvra Ghosh,J)