

12.03.2025

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**C.R.R. 467 of 2025
(CRAN 1 of 2025)
Re: Sk. Shahnawaz @ Chattan Kallu**

Mr. Subhajit Chowdhury
... For the Petitioner
Mr. Arijit Ganguly
... For the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Heard learned counsels for the parties.

The petitioner seeks condonation of delay in filing the revisional application. Good grounds being shown, delay is condoned.

CRAN 1 of 2025 is disposed of.

Re: CRR 467 of 2025

The petitioner has assailed the order dated 19th October, 2024 passed by the learned Additional Chief Judicial Magistrate, Sealdah in G.R. case no. 1519 of 2024 in connection with Beniapukur police Station case no. 138 of 2024 dated 19th August, 2024 directing issuance of warrant of proclamation and attachment simultaneously.

It appears from the order impugned that upon receipt of non-execution report of warrant of arrest, learned Magistrate has directed issuance of warrant of proclamation and attachment simultaneously against the petitioner without assigning any reason therefor in terms of Section 83(1) of the Criminal Procedure Code.

In view of the above, the order impugned is required to be set aside.

Accordingly, the revisional application is allowed.

The order impugned dated 19th October, 2024 passed by the learned Additional Chief Judicial Magistrate, Sealdah in G.R. case no. 1519 of 2024 in connection with Beniapukur police Station case no 138 of 2024 dated 19th August, 2024 be quashed/set aside.

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

(Suvra Ghosh, J.)