

IN THE HIGH COURT AT CALCUTTA

Criminal Revisional Jurisdiction

Appellate Side

Present:

The Hon'ble Justice Jay Sengupta

CRR 1455 of 2025

Ranjit Singh @ Ranjeet Singh

Vs.

State of West Bengal

For the Petitioner : Mr. Anirban Guha Thakurata
Mr. Arkadeb Bhattacharya

Heard on : 03.04.2025

Judgment on : 03.04.2025

Jay Sengupta, J.:

Learned counsel appearing on behalf of the petitioner challenges issuance of warrant of arrest in a criminal case started, *inter alia*, under Section 302 of the Penal Code. He contends that even after charge sheet is submitted showing the petitioner as absconder, no arrest warrant can directly be issued and only a summon can be issued at the first instance. He relies on decision of Hon'ble Apex Court reported at Tarsem Lal vs. Directorate of Enforcement Jalandhar Zonal Office reported at (2024) 7 SCC 61.

It appears from the decision laid down in Tarsem Lal (supra) that it pertains to PMLA Act. It was specifically directed there that if an accused was not arrested by the ED till filing of the complaint, while taking cognizance on a complaint under Section 44 (1)(b) as a normal

rule the Court should issue a summons to the accused and not a warrant.

The case is, thus, clearly distinguishable on facts. The ratio was laid down on a reading of the provisions of the PMLA including Section 44 (1) (b).

But, in the instant case, a charge sheet was submitted, *inter alia*, under Section 302 of the Penal Code showing the petitioner as an absconder.

Thereafter, in January, 2025, the Sessions Judge rejected the petitioner's prayer for anticipatory bail.

Therefore, no interference need be made with the issuance of warrant of arrest.

In view of the above, I find no merit in this application.

Accordingly, the same is dismissed, however, without any order as to costs.

Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)