

D/L - 65
22/05/2025
Court No.28
S.Kundu

CRR 2001 of 2025

Lakshman Ghosh & Ors.
Vs.
State of West Bengal

Mr. Soubhik Mitter
Mr. Litan Maitra
Ms. Rajnandini Das
Mr. C. Biswas

...for the petitioners.

Mr. Suman Dey
Mr. Anand Keshari

...for the State.

1. Learned senior counsel representing the petitioners submits as follows. In the instant case a warrant of arrest, proclamation and attachment were all issued on same day i.e. on 5.2.2025. Earlier only warrant of arrest was pending.
2. Learned counsel appearing for the State opposes the application and submits that on that particular date, a non-execution report was filed in respect of the warrant of arrest.
3. An order of attachment cannot be issued on the first day on which a proclamation issued.
4. Therefore, the order of attachment is set aside.
5. As proclamation, attachment of warrant of arrest were issued on the same day, the impugned order dated 5.2.2025 is set aside and the matter is remanded back

to the learned Special Court for considering issuance of proclamation afresh.

6. However, as there was no infirmity in issuing the warrant of arrest, the same remains.
7. With these observations, the revisional application is disposed of.
8. Urgent certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)