

Sl.No.

I 30.01.2025

Court
No. 35

G.S.Das

WPA 10380 of 2023

With

CAN 1 of 2024

Subir Kumar Ghosh

-Vs-

The State of West Bengal & Ors.

Mr. Maidul Islam Kayal

Ms. Karunamoyee Samanta

Mr. Noorul Amin Sardar

... for the petitioner(s)

Mr. Debapriya Chatterjee

... for the State-respondent(s)

Report submitted by the Officer-in-charge of Garfa Police Station reflects that the respondent/accused, namely, Anindita Ghosh Chakraborty, surrendered before the learned ACJM, Alipore and, on 18.04.2023 she was granted bail.

So far as the cases referred to in the report are concerned, the same relates to Garfa P.S. Case No. 319 dated 02.08.2019 and Garfa P.S. Case No. 355 dated 18.08.2012.

Learned advocate for the petitioner submits that there was a proceeding under Section 138 of the N.I. Act being AC Case No. 2330 of 2012, wherein, an order of conviction and sentence was passed by the learned Magistrate, thereafter, an Appeal was preferred. Finally, in an application on 14.09.2022 there was a direction in CRR 2092 of 2022 in relation to deposit of the cheque amount, in default, there was a direction that the interim order passed in the revisional application shall be deemed to be vacated.

Be that as it may, no order-sheet(s) have been placed before this Court regarding any warrant of arrest in connection with AC Case No.2330 of 2012 being sent to Garfa police station for execution.

The learned Judicial Magistrate *in*

seisin of AC Case No. 2330 of 2012 will, within a period of seven days, inform the date when the warrant of arrest was issued and/or received by the Garfa police station. In the alternative, a reminder be sent to the concerned police station for execution of the warrant of arrest in respect of the accsued persons(s) under the provisions of Section 138 of the N.I. Act.

If the police authorities do not respond, the learned Magistrate will intimate to the Deputy Commissioner of Police in charge of Garfa Police Station who would take steps for executing any process which is pending pursuant to the directions passed either by this Court and/or the Appellate Court or, the learned Magistrate's Court.

With the aforesaid observations,
WPA 10380 of 2023 along with CAN 1

of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted be kept with the record. Let a copy of the report be handed over to the learned advocate for the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)