

05.06.2025
Court No.06
Sl. No.80
SKB/Pradip

CRR 2449 of 2025

Re:- An application under Section 482 read with Section 401 of the Code of Criminal Procedure corresponding to Section 528 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

In Re:- Eklak Sk. @ Eklasuddin Sk. & Ors.

... Petitioners.

Mr. Kusal Kumar Mukherjee
Mr. Narattom Acharyya

... for the Petitioners.

Learned advocate for the petitioners is present.

Heard learned advocate for the petitioners.

Perused the materials on record.

The case of the petitioners is that he failed to appear before the learned Trial Court on 19.06.2024, 06.09.2024, 02.12.2024, 28.01.2025 due to miscommunication by the learned advocate.

It further appears that by an order dated 28.01.2025 learned CJM, Howrah, issued the warrant of arrest.

Upon perusing the order passed by the learned Magistrate, it appears that opportunities were granted by the learned Magistrate to the petitioners to be present on four dates and it appears that the petitioners could not make themselves present, neither they were represented by any lawyer.

In the facts and circumstances, this Court does not find any error in the order dated 28.01.2025 passed by the learned Trial Court. However, in the interest of justice, this Court is of the view that no fruitful purpose will be served by keeping this matter pending.

Thus, this matter is disposed of by granting liberty to the petitioners to surrender before learned Magistrate in GR Case No. 3467/ 2022 within a period of two weeks from date.

The warrant of arrest issued on 28.01.2025 in GR Case No. 3467/ 2022 by the Learned CJM at Howrah in Sankrail Police Station Case No. 629 of 2022 shall remain stayed, for two weeks.

In the event, the petitioners surrender and apply for regular bail, the same may be considered in accordance with law.

The Criminal Revisional Application stands disposed of.

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

(Biswaroop Chowdhury, J.)