

D/L 9
28.07.2025
ct.no.35
Kausik

W.P.A. 14434 of 2025

**Rupa Sharma
Versus
The State of West Bengal & Ors.**

Mr. Mit Guha Roy
Ms. Isha Jaiswal

...for the Petitioner.

Ms. Sumita Shaw
Mr. Soumen Chatterjee

...for the State.

Learned advocate appearing for the petitioner is aggrieved that the warrant of arrest issued by the learned Judicial Magistrate, 8th Court, Alipore is not executed by the police authorities.

On the other hand, learned advocate for the State submits that on 31.01.2025 the private respondents surrendered and thereafter the warrant of arrest was recalled.

Subsequently, again warrant of arrest was issued in the month of April, 2025, and the private respondents surrendered and thereafter again the warrant of arrest was recalled. So far as the issue relating to the amount is concerned that is an exclusive domain of the learned Judicial Magistrate, 8th Court, Alipore. However, presently there is no warrant pending and so far as the warrant of arrest

which has been issued as claimed by the petitioner on 12.06.2025 till date the same has not been served/required upon the police authorities for execution.

Having considered the fact that a Court under the Cr.P.C./BNSS is already in seisin of the issue, if there is any complications regarding the warrant of arrest, the provisions are already contained within the statute for the learned Magistrate to act. At this stage there is no scope for interference. The petitioner would be at liberty to approach the jurisdictional Court in seisin of the case for execution of the warrant of arrest, if the same has not been acted upon by the police authorities.

With the aforesaid observations WPA 14434 of 2025 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)