

20.11.2025
12
SB

CRR 3024 of 2025
With
CRAN 1 of 2025

Azad Mandal
Vs.
The State of West Bengal

Mr. Nepesh Majhi

...for the Petitioner

Being aggrieved and dissatisfied with the order dated 26.2.2019 passed by the learned Additional District and Sessions Judge, 6th Court, Barasat, the instant application has been preferred by the petitioner. By the impugned order, learned court below issued warrant of arrest against the present petitioner.

It is submitted on behalf of the petitioner that the record was misplaced and for which, the learned court below had not taken up the matter on 31st May, 2016 and thereafter also the record could not be traced. He further submits that thereafter, the matter was taken up by the court below on 27.7.2017, 16.12.2017, 27.2.2018, 19.7.2018 and 15.11.2018 but in those dates, the petitioner did not take any steps and did not appear before the court below as there was no information about the proceeding after the incident of misplace of case record and the surety also failed to intimate him about those dates. Finally, on 26.2.2019, the impugned order was passed. Now the petitioner wants to surrender before the court below.

Having heard learned counsel for the petitioner, the instant application being CRR 3024 of 2025 along with CRAN 1 of 2025 are disposed of giving liberty to the petitioner to surrender before the court below within a period of two weeks from this date and in the event of such surrender by the petitioner, the court below will consider his prayer in accordance with law without being influenced by any observations made herein.

The impugned order dated 26.2.2019 by which the warrant of arrest has been issued against the petitioner is hereby stayed for a period of two weeks or till the petitioner surrenders before the court below, whichever is earlier.

Parties shall act on the basis of the server copy of this order duly downloaded from the official website of this court.

(Dr. Ajoy Kumar Mukherjee, J.)