

21.08.2025
Item No.1
Ct. No.35
dc.

W.P.A. 17190 of 2025

Mr. Sudhir Kumar Dubey
versus
The State of West Bengal & Ors.

Mr. Tapas Kumar Dey,
Mr. Shamim Akhtar ... For the Petitioner.

Mr. Amal Kumar Sen, Id. AAG,
Ms. Sanghamitra Nandy,
Ms. Debdooti Dutta ... For the State.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

Petitioner has approached this Court that after the respondent being an accused in a case (C/510/2013) under Section 138 of the Negotiable Instruments Act was convicted and sentenced to S.I. for one year and also to pay a sum of Rs.7,30,000/- has been evading the process of law even after the appeal was dismissed by the Appellate Court.

State has submitted a report which reflects that on 07.09.2023, the private respondent no.6 herein was arrested from Bengaluru and produced before the concerned court. Subsequently he was granted bail. On several occasions, non-execution report has been submitted before the learned Judicial Magistrate, 5th Court, Calcutta regarding the warrant not being able to be executed in view of the local police authorities being the Officer-in-

Charge, Khardah Police Station unable to trace out the accused person.

Learned Judicial Magistrate, 5th Court, Calcutta is directed to execute the warrant of arrest through the Missing Persons Squad, Detective Department, Lalbazar.

With the aforesaid observations, the writ petition being WPA 17190 of 2025 is disposed of.

There will be no order as to costs.

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

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

(Tirthankar Ghosh, J.)