

15.
25.11.2025
Bd.
Ct. 29

CRR 4631 of 2025

**Abdul Ajim Mondal
Vs.
The State of West Bengal & Anr.**

Mr. Surojit Basu
Ms. Jasika Alam

... for the petitioner.

Mr. Debasish Roy
Mr. Suman De
Mr. Pravas Bhattacharya

... for the State.

This is an application wherein petitioner is aggrieved by the order dated 19th December, 2024 by which the Court below had issued warrant of arrest against the present petitioner in GR Case No. 83 of 2023 presently pending before learned Sessions Judge, Bankura.

Petitioner's contention is that learned court below without following the principles laid down by the Apex Court in the case of **Inder Mohan Goswami & Anr. -vs- State of Uttaranchal & Ors.** reported in **(2007) 12 SCC 1**, has straightway issued warrant of arrest and such order is mechanical and bad in law. However petitioner now wants to surrender before the court below.

Mr. De, learned counsel, who usually appears before the court on behalf of the State is hereby appointed to represent the State. Concerned authority is directed to regularize the appointment of Mr. De.

Petitioner served a copy of application to the learned counsel for the State.

Having heard learned counsel appearing on behalf of the petitioner and the State, the instant application being CRR

4631 of 2025 is hereby 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 before the court below, the court below will dispose of his prayer in accordance with law without being influenced by any observation made hereinabove.

The impugned order dated 19.12.2024 and the subsequent orders, which pertains to issuance of warrant of arrest against the petitioner is hereby stayed for a period of two weeks or till the petitioner surrender before the trial court, whichever is earlier.

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

(Dr. Ajoy Kumar Mukherjee, J.)