

9.12.2025
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**CRR 4747 of 2025
With
CRAN 1 of 2025**

**Md. Wasim @ Rajesh & Anr.
Vs.
The State of West Bengal**

Mr. Sourav Mondal	
Mr. Subhajit Chowdhury	
Mr. Archan Dutta	
Mr. Arijit Bhuiya	
Mr. Rony Mondal	...for the Petitioners
Mr. Suman De	...for the State

Re: CRAN 1 of 2025

Having heard learned counsel for the petitioners, the delay in filing the application is hereby condoned.

CRAN 1 of 2025 is accordingly disposed of and the revisional application being CRR 4747 of 2025 is admitted.

Re: CRR 4747 of 2025

Mr. Suman De, learned counsel who usually appears before this court on behalf of the State, is hereby appointed to represent the State. The concerned authority is directed to regularize his appointment. The petitioners handed over a copy of the application to Mr. De.

This is an application wherein the petitioners are aggrieved by the impugned order dated 12.3.2025 and 5.6.2025. The petitioners' contention is that the defacto-complainant made an allegation before the concerned police

station that on 12.7.2019 out of previous grudge, the accused persons attacked and assaulted the defacto-complainant and others with chopper and fire arms as a result, they sustained injury. The charge-sheet has been submitted on 23.1.2024 but due to mis-communication, no step was taken, hence warrant of arrest was issued on 12.3.2025 and 5.6.2025.

Being aggrieved by the said order, learned counsel for the petitioner drawn my attention that the petitioner no. 2 has already been arrested and as such, the instant application in connection with the petitioner no. 2 has become infructuous. However, so far as the petitioner no. 1 is concerned, it reflects from the impugned order dated 5.6.2025 that notice returned unserved in respect of accused no. 8, Md. Wasim @ Rajesh and the court below without receiving any non-execution report in its proper form, has issued warrant of arrest against the petitioners which is not sustainable in the eye of law.

Having heard learned counsel for the petitioners and learned counsel representing the State, the instant application being CRR 4747 of 2025 is hereby disposed of giving liberty to the petitioner to surrender before the court below within a period of two weeks and in the event, such surrender by the petitioner, the court below will dispose of his prayer in accordance with law without being influenced by any observations made herein.

The impugned order of issuance of warrant of arrest against the present petitioner namely, **Md. Wasim @ Rajesh** dated 5.6.2025 is hereby stayed for a period of two weeks or till

the petitioner surrenders before the court below, whichever is earlier.

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

(Dr. Ajoy Kumar Mukherjee, J.)