

10.01.2025

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**CRR 4577 of 2024
(CRAN 1 of 2024)**

In Re: Kiran Mondal

Mr. Debasis Kar

.... For the Petitioner

Ms. Faria Hossain

Ms. Pallavi Priyadarshee

.... For the State

Mr. Satadru Lahiri

.... For the Opposite Party no. 2

Heard learned counsels for the parties.

The petitioner seeks to withdraw the application and take appropriate steps under Section 438 of the Code of Criminal Procedure.

The attention of the Court is drawn to the fact that warrant of proclamation was issued by the learned trial Court vide order passed on 8th March, 2022 (wrongly recorded as 8th March, 2021) in POCSO case no. 114 of 2021 without submission of non-execution report of warrant of arrest by the investigating officer and as such issuance of proclamation is bad in law.

The petitioner shall be at liberty to raise this issue before the learned trial Court at the appropriate stage of the proceeding under Section 438 of the Code.

CRR 4577 of 2024 is disposed of as withdrawn.

Consequently CRAN 1 of 2024 is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)

