

09.01.2025

Item No.9

Ct.No.2

kausik

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 12 of 2025

**Md. Asherul @ Perbasu @ Md. Ashrul
Vs.
The State of West Bengal & Anr.**

Mr. Janardan Periwal

... For the Petitioner.

Mr. Aditi Shankar Chakraborty, APP
Mr. Aniruddha Biswas

...For the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Biswas, learned advocate who ordinarily appears on behalf of the state.

Mr. Chakraborty, learned Additional Public Prosecutor also represents the state.

The grievance of the petitioner relates to warrant of arrest issued in connection with Special (POCSO) Case No. 30(4) of 2018 arising out of Nakshalbari PS Case No. 57/2018 dated 29.03.2018.

Learned advocate appearing for the petitioner submits that for reasons beyond control there was a communication gap and as such the petitioner could not make himself available although he has co-operated during the course of investigation.

Learned advocate for the petitioner undertakes that the petitioner would appear before the learned Special Court within a period of 7 days.

In case the petitioner appears before the learned Special Court by 17.01.2025 and the learned Special Court finds that the petitioner was earlier on bail, the learned Special Court would allow the petitioner to continue on the same bail and bond.

The warrant of arrest earlier issued would on the petitioner surrendering be recalled.

However, the learned Trial Court would impose conditions to ensure that the petitioner do not further delay the progress of the trial.

In case the petitioner do not appear on or before 17.01.2025, the learned Special Court/Trial Court would be at liberty on 20.01.2025 to issue harsher process of law for compelling his appearance before the court.

With the aforesaid observations CRR 12 of 2025 is disposed of.

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

(Tirthankar Ghosh, J.)