

12.06.2025

Item No.42

Ct.No.2

dc.

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

C.R.R. 241 of 2025

In Re : An Application under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 filed in connection with GR Case No. 3974 of 2015 corresponding to Kotwali P.S. Case No. 547/2015 dated 17.09.2015 under Sections 448/376/511/326/307 of the Indian Penal Code.

And

In the matter of : **Sandip Das @ Sambhu** ... Petitioner.

Mr. Kamal Krishna Banerjee,
Mr. Satyaki Basu ... For the Petitioner.

Mr. Aditi Shankar Chakraborty, APP,
Mr. Tapan Bhattacharjee ... For the State.

Learned advocate appearing for the petitioner submits that because of miscommunication, petitioner could not appear before the court. Consequently warrant of arrest has been issued on 30.01.2025 and the execution return was fixed on 05.04.2025.

Certified copies have been submitted on behalf of the petitioner which reflects that subsequently the same order has been repeated on 05.04.2025 and on 16.10.2025, the learned Chief Judicial Magistrate, Jalpaiguri has fixed date for execution return.

Learned advocate appearing for the State opposes the prayer of the petitioner and submits that stringent condition be imposed.

Be that as it may, the petitioner was earlier on bail. The case is of the year 2015. There has been no progress in the

case due to varied reasons. Having considered the undertaking given by the learned advocate appearing for the petitioner, I direct that the execution of warrant of arrest be stayed till 11.07.2025.

In case the petitioner appears before the learned Chief Judicial Magistrate, Jalpaiguri and prays for bail, learned court would consider the application for bail in the background of the fact that he was earlier released. However, it would be the discretion of the learned Trial Judge to impose conditions as he deems fit and proper for ensuring the appearance of the accused/petitioner on each and every date so fixed.

Certified copies so submitted by the learned advocate appearing for the petitioner be kept with the record.

With the aforesaid observations, the revisional application being CRR 241 of 2025 is disposed of.

Pending connected application, if any, is consequently disposed of.

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.)