

12.08.2025
SL. 9
Court No. 3
SR

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Criminal Revisional Jurisdiction**

C.R.R. 299 of 2025

In re: An application under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023/Section 482 of the Code of Criminal Procedure, 1973.

And

In re: Pankaj Das & Ors.

....petitioners.

Mr. Hillol Saha Podder

...for the
petitioners.

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Nilay Chakraborty
Mr. Subhasish Misra

... for the State.

1. The legality, propriety and correctness of the order dated 7th February, 2024 as passed by the learned Additional Chief Judicial Magistrate, Tufanganj, District – Cooch Behar in connection with G.R. Case No.180 of 2019 is the subject matter of the instant revisional application.
2. On the said day i.e. on 7th February, 2024, the learned Trial Court issued warrant of arrest against the present revisionists on account of their non-appearance before the learned Trial Court.
3. It is submitted by Mr. Podder that the present revisionists against whom, learned Trial Court has issued warrant of arrest were all along bail and due to some personal predicament, they could not appear on 7th February, 2024 before the learned Trial Court.

4. It is submitted by Mr. Podder that the present revisionists are willing to surrender before the learned Trial Court as and when directed by this Court and on their surrender the present revisionists may be permitted to remain on same bail.
5. Such prayer is, however, opposed by Mr. Chakraborty, Learned Additional Public Prosecutor appearing for the State.
6. It is submitted by Mr. Chakraborty that in absence of any infirmity in the order impugned, there cannot be any justification to interfere with the said order.
7. On careful perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court directs the present revisionists to surrender before the learned Trial Court within fifteen working days from today.
8. It is further directed that in the event the present revisionists appear before the learned Trial Court in connection with G.R. Case No.180 of 2019 within the stipulated period as fixed by this Court, the learned Trial Court is hereby directed to accept their surrender and thereafter permit them to remain on same bail and without insisting for furnishing any further bail bond on condition that the present revisionists shall have to appear on each and every subsequent dates as will be fixed by the learned Trial Court failing which, the learned Trial Court will be at liberty to cancel their bail and to take them into custody.
9. Liberty is given to the learned advocate-on-record of the instant revisional application to communicate the server copy of this

order to the learned Trial Court.

10. The learned Trial Court is hereby directed to act on the server copy of this order.
11. With the aforementioned observations CRR 299 of 2025 is disposed of.

(Partha Sarathi Sen, J.)