

07.01.2026

Sl. No.40.

D/L.

Mithun.

Ct.No.29.

CRR/3571/2025

**Swapan Kumar Mandal @ Swapan Mandal @ Swapan Kr Mandal
Vs.
The State of West Bengal**

Mr. Musharraf Alam Sk.

...for the petitioner

In this application the petitioner has assailed the order dated 8th May, 2025 by which the Court below had issued warrant of arrest against the petitioner in connection with Special Case No.67 of 2020 initiated under the provision of NDPS Act.

Being aggrieved by the aforesaid order, learned Counsel for the petitioner submits that on the said date, the petitioner had taken step contending that the petitioner was suffering from illness, which prevented him from appearing before the Court physically. However, learned Court did not accept such contention and issued warrant of arrest against him straightway. He further submits that learned Court below even did not give the surety an opportunity to produce the accused on the next date. Now the petitioner wants to surrender before the Court below and, therefore, he prays for granting leave.

Having heard learned Counsel for the petitioner, I find that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer, made in the Application opposite party will have no cause to prejudice and, as such, service of copy of application upon the opposite party is dispensed with.

Having considered the prayer made by the petitioner, the instant application being CRR 3571 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 of such surrender, the Court below will dispose of his prayer in accordance with law without being influenced by any observation made herein.

The impugned order dated 08.05.2025 and subsequent orders pertains to issuance of warrant of arrest against the petitioner shall be stayed for a period of two weeks or till the petitioner surrender before the Court below, whichever is earlier.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)