

7.1.2026
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CRR 5512 of 2025

**Sabur Sk.
Vs.
The State of West Bengal**

Ms. Minoti Gomes
Md. Hafiz Ali

...for the Petitioner

The petitioner herein has assailed the order no. 140 dated 17.9.2025 passed in Sessions Trial no. 08(02) of 2022. By the impugned order, learned court below has issued warrant of arrest against the petitioner as he was found absent on call when the matter was taken up for hearing.

Being aggrieved by the aforesaid order, learned counsel for the petitioner submits that due to mis-communication, the conducting lawyer was not present before the court below. However, he wants to surrender before the Trial court and therefore, he prays for granting leave to surrender before the court below.

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

Having heard leaned counsel for the petitioner, the instant application being CRR 5512 of 2025 is hereby disposed of by giving liberty to the petitioner to surrender before the

court below within a period of two weeks and in the event of such surrender by the petitioner, the court below will dispose of his prayer in accordance with law without being influenced by any observations made herein.

The impugned order dated 17th September, 2025 by which, the warrant of arrest was issued against the petitioner is stayed for a period of two weeks or till the petitioner surrenders before the court below, whichever is earlier.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)