

S.C. 07 (11) 18 (Reg. No. 09 / 19)
CNR No. WBBK07-000039-2019
Present : Smt. Jyotsna Roy (J.O. Code WB00933)

State Vs. Swapan Basu Mallick and others.

(In connection with Sonamukhi P.S. Case no. 86 / 17 dated 02.11.17 being G.R. Case no 1086/17 u/s 363 / 366/120B of IPC)

Order no. 34 dated 28.01.2022

It appears from the case record that accused Swapan Basu Mallick has flouted the order of this court by not appearing before this court in spite of the stringent order passed by this court on 20.02.2021. Several opportunities were given to the instant accused to appear before this court, but deliberately he has not appeared before this court. Therefore, this court has been pleased to issue Warrant of arrest against the instant accused on 20.02.21. Thereafter, this court has received memo no. 7725 dated 21.12.21 from the Assistant Registrar, Calcutta, Criminal Section, Appellate side in connection with CRR No. 1931 of 2021 arising out of S.C. 07(11) 18. On receipt of the said order of the Hon'ble High Court, Calcutta both side Lawyers, i.e., Ld. Prosecution-in-charge and Ld. Defence Counsel has duly been informed and they have put their signatures on the order sheet after going through the Order of the Hon'ble High Court, Calcutta. But instead of knowing the same the accused Swapan Basu Mallick has not been produced by S.I. P. Kundu, Beliaghata P.S. till today. This court has carefully gone through the order of CRR No. 1931 of 2021 arising out of S.C. 07(11) 18 of the Hon'ble High Court, Calcutta where from it appears that if the accused / petitioner fails to surrender before this court within the period of four weeks from the date of order, in that event the stay granted by the Hon'ble High Court, Calcutta, shall automatically be vacated. It further appears from the case record that the accused / petitioner flouted the order of the Hon'ble High Court, Calcutta, by not appearing before this court within specified time period (4 weeks). Now this court is left without option but to execute the warrant of arrest which has already been issued against the instant accused / petitioner Swapan Basu Mallick by this court on 20.02.21.

Thus, in terms of the order of the Hon'ble High Court, Calcutta dated 13.12.21 arising out of CRR No. 1931 of 2021 in connection with S.C. No. 07(11) 18, let the O/C, Beliaghata P.S. be directed to execute the W/A dated 20.12.21 by or before the next date without fail.

To 28.02.22 for E/R of W/A.

Dictated & Corrected by me
Sd/- J. Roy

Asstt. Sessions Judge,
Bishnupur

Sd/- J. Roy

Asstt. Sessions Judge,
Bishnupur