G.R. 1303 of 2017 (New G.R. 1931 of 2018)
T.R. 295 of 2018

Order dated 04.09.2019:-

The accused on C/B is present.

The learned A.P.P is also present.

Today is fixed for evidence.

S.R of summons has been received from the Sankrail Police Station stating that C.S.W.2 is not a resident of the area under the jurisdiction of concerned Police Station and also filed one certificate issued by the Pradhan, Andul Gram Panchayat.

The address of C.S.W.2 falls under the state of Karnataka as is evident from the PIN code noted in the charge-sheet and the summons was sent in that address. Therefore, there is no reasonableness to report that the area does not fall under the jurisdiction of Sankrail Police Station as it is within the common knowledge of all that Bangalore is not situated within the jurisdiction of Sankrail Police Station.

Since, no name of Police Station or district has been written by the Investigating Officer, in the charge-sheet for C.S.W.1 as well as C.S.W.2., warrant cannot be executed in a manner under Section 78 of the Cr.P.C and as such I.C., Sankrail Police Station, was directed to execute the summons since the case is of that Police Station and I.C., Sankrail Police Station can take recourse of Section 79 of the Cr.P.C while executing the warrant outside his jurisdiction.

Issue summons on C.S.W.1 as well as C.S.W.2 executable by I.C. Sankrail Police Station.

Let a copy of this Order be sent to the I.C., Sankrail Police Station for his guidance and taking necessary action.

To for evidence.

The Ld. A.P.P to take step.

Judicial Magistrate, 1st Class,
5th Court, Howrah.