

Complain Case 50 of 2024
CIS No. 50 of 2024

Order Dated: 24.03.2026

Today is fixed for E/R of W/A.

Er of WA is received in respect of accused Rupesh Modak.

Heard. Perused the case record.

The speedy trial is the mandate of Constitution Justice delayed is justice defeated.

Now, it is pertinent to refer the provision of section 82 of CrPc 1973 as under

Proclamation for person absconding (Section 82(1)): - if the court has reason to believe that a person has absconded to avoid the execution of his arrest warrant, the court may publish a written proclamation requiring such person to appear before it at the specified place and time. The date and time of appearance must not be less than thirty days from the date of proclamation

This court issued warrant of arrest on 07.01.2026 against Accd. Rupesh Modak. On the NER report, this court has sufficient reason to believe that the accused has absconded to avoid the execution of warrant of arrest in delay the trial. The accused is intentionally trying to procrastinate the trial in frustrate the criminal justice system.

Procedure for Publication of the Proclamation (Section 82(2)): - As per section 82(2), the proclamation must be read in some conspicuous place of the town or village in which the person resides. It shall also be affixed in some conspicuous part of the house in which the person resides or to some conspicuous place of the town or village. Further, a copy of the same must also be affixed to some conspicuous part of the court house. The court may also direct a copy of the proclamation to be published in a daily newspaper circulating in the place in which such person ordinarily resides.

This court is of the view that this case has been pending for trial and disposal for long time and thus this court is of the view that this is fit case to passing order against absconded accused Rupesh Modak.

GRO to comply the procedure for publication of proclamation against the absconding accused.

Comply accordingly.

To 07.05.2026 for ER of WPA.

D/C by me

JM1

Judicial Magistrate 1st Court
Raghunathpur, Purulia