

GR Case No. 435 of 2013
CIS No.- 172 of 2016

Order dated 15.07.2024

As stipulated by the previous order today is fixed for E/R of W.A. No report has been received by this court from the police station concern so as to illumine the fact that the warrant has been executed or not. The learned APP in charge prayed for necessary order so that the warrant is executed without delay.

On introspection of the case record it has transpired that warrant of arrest as regards the accused person was sent from this court and the track report goes to show that it has been duly served to the concerned police station, but till date no report has been submitted by the P.S concern. The O/C Kashipur police station, is required to be appraised of the fact that as per mandate of law it also fall within the domain of his duties to execute the warrants sent by the court and thereby assist the process of trial. Moreover as per the provision of Rule 65 of the Cr.R.O. it is the duty of the O/C concern to furnish a report if he cannot execute the warrant before the date fixed.

This lackadaisical approach to a summon of this court has actively contributed to the delay of further proceeding of this case and has denied the complainant from getting her legitimate claim. If this basilica is faced with this feigned ignorance on the part of the authority concern in that event the pitiable situation of the litigant public is quite obvious. Considering the factual facet I am left with no option but to raise questions about the gumption of the authority concern, and I have no quandary in harbouring to the conclusion that this kind of laggardness on the part of the O/C Kashipur must not be patronized. It is not irrational to except at least a report from the concern P.S on the execution of Warrant. It is quite unfortunate that this court has to engage itself in reminding the police officer concern about his duties and that he should have sent a report even if he is not able to execute the warrant.

Send a copy of this Order Sheet to the Inspector in Charge of Kashipur PS directing him to ensure the execution of warrant herewith by next date in default he is to appear in person and account for his failure before Court.

Matter adjourned.

Fresh WA upon the accused persons.

BC-II to comply

To 09.08.2024 for evidence.

Typed, corrected and
printed by me:

Judicial Magistrate
1st Court Raghunathpur.

Judicial Magistrate
1st Court Raghunathpur.