

17.09.2025
Item No.17
Ct. No. 446
PG

CRR 3793 of 2025
Dipu Kumar Shaw @ Dipu Shaw
Vs.
The State of West Bengal & Anr.

Mr. Arka R. Bhattacharya
Mr. Souvik Ghosh

.....For the Petitioner

1. This application has been filed by the petitioner under section 482 of the Code of Criminal Procedure corresponding to section 528 of the BNSS, 2023 for quashing of the order dated 18th December, 2024 issuing warrant of arrest passed by the learned Judge, Special (POCSO) Court, Howrah in Spl. T.R. Case No. 81 of 2019.
2. It is submitted by the learned advocate for the petitioner that because of miscommunication with the advocate, the first date was missed, which was fixed on 18th December, 2024 and on the said date, the petitioner being the sole accused remained absent as a result of which, warrant of arrest was issued against the present petitioner. 11th March, 2025 was next date fixed for execution report of warrant of arrest and on that also the present petitioner did not appear. Thereafter on 30th July, 2025 since the petitioner did not turn up, warrant of proclamation and attachment was issued against the present petitioner and next date was fixed on 6th November, 2025 for execution report.
3. According to the petitioner, he is ready to face the trial and with the apprehension of being taken into custody, the petitioner has avoided appearing in the Court after being aware about the warrant issued against him. Accordingly, the

petitioner has come before this Court for setting aside of such order.

4. On a careful perusal of the entire facts and circumstances of the case as advanced by the learned advocate for the petitioner, the entire records and the number of occasions he did not turn up, it primarily appears that the warrant was issued when the date was fixed for appearance and it appears that on the single date of his non appearance, the warrant was issued.
5. In the circumstances, petitioner is directed to serve copy of the criminal revisional application alongwith all annexures upon the opposite party no.1/State through the office of the learned Public Prosecutor, High Court, Calcutta and upon the opposite party no.2 through Speed Post with acknowledgement due and file affidavit of service on the next date of hearing.
6. Let the matter be listed in the monthly list of November, 2025 before the regular Bench under the heading 'Contested Application'.
7. In the meantime, let there be an interim order of stay of the order dated 30th July, 2025 in Spl. T.R. Case No. 81 of 2019 passed by the learned Judge, Special (POCSO) Court, Howrah till 30th November, 2025.
8. All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Chaitali Chatterjee (Das), J.)

