

24.03.2025
rc/ct.no.34
Item No.208

CRR No.5079 of 2024

In the matter of : Md. Murshid Alam

.....Petitioner

Mr. Niladri Sekhar Ghosh
Mr. S. Alam
Ms. Sampurna Chatterjee
Ms. Labani Sikder
Mr. Soumik Dey

...for the Petitioner

Supplementary affidavit filed by the petitioner is taken on record.

The petitioner is aggrieved by the order dated February 20, 2024 passed by the learned Additional Chief Judicial Magistrate, Islampur, Uttar Dinajpur in G.R.Case No. 1684 of 2019 directing issuance of warrant of proclamation against him.

Learned counsel for the petitioner takes this Court to the copies of order sheets of the case wherefrom it appears that upon submission of charge sheet, warrant of arrest was issued against the petitioner and others vide an order dated March 15, 2022. Dates were fixed for execution return of the warrant of arrest and the last date for such execution was fixed on August 02, 2024. The record was put up on prayer of the Investigating Officer on February 20, 2024 and the Investigating Officer sought issuance of warrant of proclamation against the petitioner and others which was allowed by the learned Magistrate.

Learned counsel for the petitioner submits that without waiting for the date fixed for execution return of the warrant of

arrest learned Magistrate, by the order impugned, directed issuance of warrant of proclamation to the prejudice of the petitioner.

The matter needs to be heard on merits.

The petitioner is directed to serve copy of the application along with annexure thereto upon the opposite party and file affidavit of service on the adjourned date.

Let this matter appear under the heading "Fixed Matters" on April 24,2025.

The order impugned dated February 20, 2024 passed by the learned Additional Chief Judicial Magistrate, Islampur, Uttar Dinajpur in G.R.Case No. 1684 of 2019 be stayed till April 30, 2025 or until further orders, whichever is earlier.

(Suvra Ghosh,J)