

Case No. PRC 130 of 16 (WP)

28.02.2017

Today was fixed for ER/ appearance.
Ld. APP is present.

No ER of WA which was issued against the accd. namely Yunish Miah vide despatch No 233 dated 02.12.16.

Accd. Jamal Hossain is present today.

Received a report from the OC, Killa Ps. and stated that accd. Yunish Miah is absconding to avoid police arrest so he failed to execution the WA.

OC. of the concerning Ps. also stated that search is continuing to execute the WA.

Heard Ld. APP. and I am satisfied with the report.

From the report of Police personal, this court thinks that accd Yunish Miah has absconded or is concealing himself so that warrant could not be executed.

So, considering all facts and circumstances, issue proclamation requiring the accd. to appear before this court at 10 AM. on the next date fixed.

This court has observed that at the time of execution of proclamation, the concerning Police Personal, who serve proclamation, do not follow the actual procedure as mentioned in the sec. 82 Cr.P.C.

So, considering this, following direction has been given at the time of execution of proclamation.

RECEIVED
O/o. the Supdt. of Police (C/S)
Gomati District, Udaipur.
No. 475
Date 09/3/17

(A) One copy of Proclamation is to be fixed in some conspicuous place of the town or village in which accd. person(s) ordinarily resides.

(B) One copy of Proclamation is to be fixed in some conspicuous part of the house or homestead in which accd. person ordinarily resides.

(C) One copy of Proclamation is to be fixed in some conspicuous part of the court house(Notice Board). This copy of proclamation will be served by the process server of the concerning court from where proclamation will be issued.

In the light of above direction it is crystal clear that proclamation must be issued in five copies ie., three copies will be forwarded to the concerning Police Station in which accd. person ordinarily resides and from where one copy will be returned with report.

Two copies will be forwarded to the Nazir of the establishment from where Process Server will return back one copy with report to the court.

A copy of this order be sent to the OC., Killa PS, SDPO., Udaipur, Gomati Tripura and Nazir of this establishment.

Comply clerk be asked to forward proclamation considering the above order

Issue reminder of WA.
Fix 12.04.2017 for ER/Report/ appearance

As dictated of accd.

[Signature]
Chief Judicial Magistrate
Cum Civil Judge (Sr. Divn.)

[Signature]
M. Chakraborty
Chief Judicial Magistrate
Cum-Civil Judge (Sr. Divn.)

Crime for n/a
1-Scan + circulate one copy to all OCs/SDPOs.
2-Chop - missing.