

Sessions 31 of 1981
R-177 of 2014
CNR No. WBDJ01000001-1981
Present : Sri Akhilesh Kumar Pandey
JO No.WB00784

Order No. 214 dated 11.03.2026

Today is fixed for passing order.

I have gone through the entire case record which is available before this Court.

In the present case the FIR was lodged before the Sadar PS, Darjeeling on 11.05.1980 by the complainant Pranay Ghaley against accused Dipak Joshi for offence punishable u/s 302 of IPC.

After completion of the investigation charge sheet was submitted in this case against the sole accused Dipak Joshi u/s 302 of IPC.

Further from the record I find that the case record of the present case on the requisition of the Hon'ble Court has been sent to the Hon'ble Court vide order no. 187 dated 17.03.2021 with reference to Suo muto writ petition being no. WPA (P) 27 of 2021 and since then the record is being fixed for awaiting report from the Hon'ble Court.

On 19.02.2026 the record was placed before me and I have gone through the entire case record and the order passed dated 17.03.2021 in WPA (P) 27 of 2021 and accordingly today is being fixed for passing the order.

From the order passed by the Hon'ble Court dated 17.03.2021 and the order passed dated 07.12.2021 in WPA(P) 27 of 2021 taking note of the factual situation that Dipak Joshi the UTP arrested on 12.05.1980 and had remained in detention for almost 41 years without conclusion of trial the Hon'ble Court has been pleased to release him to the custody of his near relative and also been pleased to direct compensation of Rs. 5 lakhs to be paid by the state in favour of the UTP Dipak Joshi and that compensation was duly paid by the state.

In view of the order passed above by the Hon'ble Court it is very much clear that the release of the UTP from the custody and payment of compensation to him, the case against the UTP stands closed and the record needs to be filed.

Necessary note be given in the trial register and also uploaded in the CIS.

Dictated and corrected by me

Sd/-
Additional District & Sessions Judge, 1st Court,
Darjeeling.

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