Criminal Appeal 33 of 2026

Ord No. 08 dated 12.03.2026

Date is fixed for hearing of the Appeal.

One affidavit is filed on behalf of the appellant statingt that he is not able to deposit the money as ordered by this Court. None moves the petition. Appellant is absent on calls.

Ld. advocate for the respondent raises vehement objection to the prayer for extension of time to make the payment.

Ld. P.P., Hooghly also has pointed out that no further time should be given to make payment in accordance with the order passed by the Court since sufficient time has already elapsed since the date of passing of the order.

Perusal of order No. 5 dated 11/12/2025, I find that the impugned order of conviction was stayed subject to condition that the appellant shall deposit 20% of the fine-compensation awarded by the ld. Trial court, i.e. Rs. 1,04,400/- within 60 days from the date of the order; in default the stay will be vacated automatically without further reference to the Appellate Court. Since then 60 days time period has already elapsed. Accordingly, the stay of the impugned order, vide order No.5 dated 11/12/2025, is vacated.

Appellant is directed to show cause as to why the instant appeal shall not be dismissed for non-prosecution.

Fix **28/04/2026** for filing show-cause by the appellant.

Dict. & Corrected by me

S.J. Sessions Judge ,Hooghly
(in-charge)