

08.08.2025
Item Nos.35&36
Ct.No.35
dc.

C.R.A. (SB) 102 of 2024
with
CRAN 1 of 2024

Subhas Karmakar
versus
The State of West Bengal & Ors.

with

CRR 1119 of 2023

Rajesh Karmakar & Ors.
versus
The State of West Bengal

Ms. Shreyasi Biswas,
Ms. Afreen Begum ... For the Appellant in CRA(SB)/102/2024.

Mr. Sandip Chakraborty,
Mr. Abhinaba Mukherjee ... For the State in CRA(SB)/102/2024.

Mr. Mani Sankar Chattopadhyay,
Ms. Shalini Singh ... For the Petitioners in CRR 1119/2023.

Mr. Arijit Ganguly,
Mr. Kaushik Kundu ... For the State in CRR 1119/2023.

Re: CRAN 1 of 2024
(an application under Section 5 of the Limitation Act)

There is a delay of 416 days in preferring the appeal being CRA (SB) 102 of 2024. Having regard to the grounds so assigned, I am of the view that the merits of the appeal requires consideration. In the background of the appeal which has been preferred and the grounds which have been assigned for condonation of delay, I am of the view that the same are just and sufficient. Accordingly delay of 416 days in preferring the appeal is condoned.

The application for condonation of delay being CRAN 1 of 2024 is, thus, allowed.

Re: CRA (SB) 102 of 2024

I have taken into account the judgement and order passed by learned Additional Sessions Judge, Raghunathpur at Purulia and I find that the appeal was considered by the said appellate court in respect of the judgement and order of conviction passed by learned Additional Chief Judicial Magistrate, Raghunathpur at Purulia. Consequently, the appeal in this case is not maintainable. However, the appellant can press the arguments and/or merits of the case by way of a revisional application. Accordingly, department is directed to convert the appeal being C.R.A. (SB) 102 of 2024 and freshly renumber the same as a revisional application.

The Registrar (Information Technology), High Court, Calcutta is directed to take steps in accordance with law.

In respect of the selfsame subject-matter another revisional application being CRR 1119 of 2023 has been preferred on behalf of the accused.

Let both the revisional applications be listed after the Registrar (Information Technology), High Court, Calcutta renumbers and the records maintained with the department are revised in order.

List both the revisional applications under the same heading on 22nd August, 2025.

(Tirthankar Ghosh, J.)