

3.
09.07.2026.
ap

I.A. No. CRAN 1 of 2014 (Old CRAN 4490 of 2014)
And
I.A. No. CRAN 2 of 2019 (Old CRAN 3283 of 2019)
And
I.A. No. CRAN 3 of 2026
In
C.R.A. 421 of 2014

In Re: An application for suspension of sentence under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Section 389(1) of the Code of Criminal Procedure being CRAN 3 of 2026 filed on 16.06.2026 in connection with Sessions Case No. 4(10) 2007 corresponding to Sessions Trial No. V(3)2008.

A N D

In the matter of: Lutfa Bibi.

...Appellant.

Mr. Deepak Prahladka,
Ms. Reshmi Khatun.

... For the applicant.

Mr. Kallol Mondal, Id. P.P.
Mr. Debajyoti Deb,
Mr. Sanjib Das.

...For the State.

Re: CRAN 3 of 2026

1. This Court has considered the report of the Superintendent, Dum Dum Central Correctional Home dated 7th July, 2026 received by the learned Advocate for the applicant. The same is taken on record.

2. In a sessions trial, the appellant was convicted under Sections 364/302/201/34 of the Indian Penal Code by the learned Additional Sessions Judge, Fast Track Court-IV, Krishnagar, Nadia and sentenced to suffer imprisonment for life for the offences punishable under Sections

364/302/201/34 of the Indian Penal Code and to pay fine of Rs.20,000/- and in default thereof, suffer simple imprisonment for two years.

3. Against such order of conviction and sentence, an appeal has been preferred by the appellant which has already been admitted. Now, with the liberty granted by a Co-ordinate Bench of this Court admitting the appeal, the applicant has approached this Court for suspension of sentence.

4. It appears from the report of the Dum Dum Central Correctional Home dated 7th July, 2026 that against the sentence for life under Section 302 of the Indian Penal Code, the applicant has suffered detention of 12 years 6 months 25 days including three days as an under trial. The applicant was allowed Parole six times on various dates. Her conduct during incarceration and Parole has been found satisfactory and nothing adverse has been reported against her. She is a law-abiding convict and co-operated with the other co-inmates.

5. Given the fact that the applicant has served sentence for 12 years 6 months and 25 days and in view of the fact that chance of the appeal being heard in near future is very remote although paper books are ready and considering further fact that twelve years have already lapsed since filing of the appeal, this Court is inclined to suspend the sentence of the applicant.

6. Accordingly, we direct that pending hearing of the appeal, the order of execution of sentence shall remain suspended and the applicant, namely, **Lutfa Bibi** shall be released on a bail bond of Rs.10,000/-, with two sureties of Rs.5,000/- each, one of whom must be local, to the satisfaction of the learned Chief Judicial Magistrate, Nadia at Krishnagar subject to the condition that the applicant shall report to the Trial Court once in a month until further orders and on further condition that she shall not leave the jurisdiction of Trial Court without the express permission in writing of the Court. It is also directed that the applicant shall surrender her passport, if any, before the Court below and furnish her residential address and mobile number to the Officer-in-charge, Nakashipara Police Station.

7. In default of compliance of any of the aforesaid conditions, the bail of the applicant shall stand automatically cancelled and the applicant shall be taken into custody without any further reference to this Court.

8. The application being CRAN 3 of 2026 shall stand disposed of.

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9. It appears from the records that since the paper books in this matter have been prepared and served upon the respective parties, list the appeal in the Monthly Combined List of August, 2026 under the heading “**Hearing**”.

10. Urgent photostat certified copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of necessary formalities.

(*Rajasekhar Mantha, J.*)

(*Ananya Bandyopadhyay, J.*)