

23.03.2026

Item No.21

Court No.7

(KB)

Calcutta High Court

In the Circuit Bench at Jalpaiguri

Appellate Side

CRA(DB)/21/2025

LIPI ROY AND ANR.

VS

SANTOSH SINGHA ROY @ SANTOSH ROY

Ms. Sukanya Adhikary, Advocate
Mr. Sanjay Mazoomdar, Advocate
... for the appellants

Mr. Aditi Shankar Chakraborty, Ld. APP
Mr. Nilay Chakraborty, Ld. APP
... for the State

1. Appeal is directed against a judgment of acquittal dated January 17, 2025.
2. Appeal was admitted by the co-ordinate Bench by an order dated May 13, 2025.
3. While admitting the appeal, co-ordinate Bench disposed of an application for condonation of delay.
4. Co-ordinate Bench, however, did not issue necessary direction upon the respondents with regard to compliance under Section 390 of the Criminal Procedure Code.
5. Since, the appeal is directed against a judgment of acquittal, it would be appropriate to direct the respondent nos. 1 to 7 herein to obtain bail from the jurisdictional Court within four weeks from date. In default, the learned jurisdictional Court is at liberty to take appropriate steps as against the respondent nos. 1 to 7 for compliance.

6. Pendency of this appeal and the trial court records being in this Court will not impede the jurisdictional Court from exercising powers under Section 390 of the Criminal Procedure Code.
7. Learned Advocate appearing for the appellants submits that, due to inadvertence, the name of the victim was disclosed. She submits that, the appellant no. 2 should be transposed as respondent no. 8.
8. In view of such submissions, it would be appropriate to permit the Advocate-on-record for the appellants to redact the name of the appellant no. 1 as she is the victim. Appellant no. 2 be transposed as the respondent no. 8 in the appeal.
9. Appellants will serve a copy of the amended paper book upon all the respondents.
10. List the appeal four weeks hence.

(Debangsu Basak, J.)

(Biswaroop Chowdhury J.)