

IN THE HIGH COURT AT CALCUTTA
[CIRCUIT BENCH AT PORT BLAIR]

CRA/1/2025

The State

Vs.

Ganesh Alias Pillair and Another

Ms. A. S. Zinu ... for the respondent no.2

Mr. Siddhartha Singha ... for the respondent no.1

With

CRA(SB)/1/2026
(IA NO: CRAN/1/2026, CRAN/2/2026)

The Victim Girl (Represented through her Natural Mother and
Guardian)

Vs.

Ganesh Alias Pillair

Ms. A. S. Zinu ... for the petitioner

Mr. Siddhartha Singha ... for the respondent

February 26, 2026
[SR]
Item Nos.7 & 8

Accused is present pursuant to the order dated February
24, 2026.

Accused is represented by an advocate in CRA/1/2025.

CRA/1/2025 is at the behest of the State, who seeks
enhancement of the punishment imposed.

CRA(SB)/1/2026 is at the behest of the victim, who also
seeks enhancement of the punishment imposed.

Learned advocate appearing for the accused submits that, the accused requires appointment of an advocate from the legal aid to conduct CRA(SB)/1/2026.

Court is of the view that, since, the accused is represented by an advocate in CRA/1/2025, and such advocate is also in the panel of legal aid services.

The learned advocate for the accused in CRA/1/2025 is appointed as the advocate for the accused in CRA(SB)/1/2026. Member Secretary, ANSLSA will regularize his appointment in such appeal.

In CRA(SB)/1/2026, there are two applications.

Appellant in CRA(SB)/1/2026 is seeking condonation of delay of 413 days in preferring the appeal.

Learned advocate appearing for the accused does not object to such prayer being allowed.

An appeal for enhancement of the sentence is already on record at the behest of the State.

Victim seeks to explain the delay on the ground that the victim was under impression that the appeal preferred by the State covers all points. However, the victim subsequently discovered that all points were not covered in the appeal of the State.

The present appeal is at the behest of the victim. Therefore, it would be appropriate to condone the delay in making and filing the appeal at the best of the victim.

CRAN/1/2026 is allowed.

CRAN/2/2026 is an application for leave to file the appeal without certified copy of the order. Since certified copy of the impugned order is already on record in CRA/1/2025, leave is granted to the victim to prefer CRA(SB)/1/2026 without certified copy of the impugned judgment of conviction and order of sentence.

CRAN/2/2026 is therefore disposed of.

Since both the appellants in both the appeals seek enhancement of sentence and in particular, since the appellant in CRA(SB)/1/2026 seeks enhancement of sentence to life, it would be appropriate that the department places both the appeals before the Division Bench.

Consequently, the department will treat CRA/1/2025 and CRA(SB)/1/2026 as disposed of after renumbering both appeals for the purpose of Division Bench.

Department will prepare the paper books incorporating memo of appeal in respect of CRA(SB)/1/2026.

On being renumbered, list both the appeals before the Division Bench.

(Debangsu Basak, J.)