

ITEM NO.107

COURT NO.14

SECTION IIB

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 1626-1627/2011

STATE OF WEST BENGAL

Appellant(s)

VERSUS

JAHANGIR ALAM & ANR

Respondent(s)

WITH

CrI.A. No. 2163-2164/2013

(With Office Report)

Date: 27/10/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.K. AGRAWAL

HON'BLE MR. JUSTICE N.V. RAMANA

For Appellant(s)

Mr. Soumya Chakraborty, Adv.

Ms. Reshmi Rea Sinha, Adv.

Mr. Parijat Sinha, Adv.

Mr. K. L. Janjani, Adv.

Mr. Pankaj Kr. Singh, Adv.

For Respondent(s)

Ms. Aishwarya Bhati, (ACAOR)

Gp. Capt. Karan Singh Bhati, Adv.

Mr. T. Gopal, Adv.

Mr. Anip Sachthey, Adv.

UPON hearing the counsel the Court made the following

O R D E R

The Criminal Appeals are dismissed in terms of the signed order.

(VISHAL ANAND)

COURT MASTER

(SNEH LATA SHARMA)

COURT MASTER

(Signed Order is placed on the file)

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No(s). 1626-1627/2011

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Criminal Appeal No(s). 2163-2164/2013

O R D E R

We have heard Mr. K.L. Janjani, learned counsel appearing for the appellant - complainant in Criminal Appeal Nos.2163-2164 of 2013, learned counsel appearing for the State of West Bengal in Criminal Appeal Nos. 1626-1627 of 2011 and Ms. Aishwarya Bhati, learned *Amicus Curiae* appearing for the accused - respondents in Criminal Appeal Nos.1626-1627 of 2011 at length today and have perused the impugned Judgment and Order passed by the High Court.

The High Court has found that the circumstantial evidence has not been established and the theory of last seen is also not proved beyond reasonable doubt.

We do not find any infirmity in the Judgment and Order passed by the High Court.

Accordingly, both the appeals fail and are dismissed.

However, we must express our gratitude to Ms. Aishwarya Bhati, learned *Amicus Curiae* who was appointed by us to appear on behalf of the respondents and helped us to come to such a conclusion.

.....J  
(R.K. AGRAWAL)

.....J  
(N.V. RAMANA)

NEW DELHI;  
27TH OCTOBER, 2015.

