

V
Cr1.A.No. 208 OF 2001

ITEM NO.110

COURT NO.08

SECTION II

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO.208 OF 2001@@
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SRI HEMANTA KOLEY ... APPELLANT(S)

VERSUS

STATE OF WEST BENGAL ... RESPONDENT(S)

Date: 30/07/2002. This/These matter(s) were called on for hearing today.@@
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CORAM:

HON'BLE MR. JUSTICE U.C. BANERJEE
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Appellant(s) Mr. Balraj Dewan, Adv. A.C.

For Respondent (s) Mr. Tara Chandra Sharma, Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I....T.....T.....T.....T.....T.....T....J.
.SP2

Heard learned counsel for the parties for about 15 minutes.

The appeal is dismissed in terms of the signed order.

.SP1

(K.K. Chawla) (Shelly Sengupta)@@
AA
Court Master Court Master

[Signed order is placed on the file]

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IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.208 OF 2001@@
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SRI HEMANTA KOLEY APPELLANT

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VERSUS

STATE OF WEST BENGAL

RESPONDENT

O R D E R@@
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.SP2

In the normal course of events it is well settled that under Article 136 of the Constitution the Apex Court would not intervene with the concurrent findings of the trial Court and the First Appellate Court unless there is some amount of perversity resulting in total miscarriage of justice. In the instant set of facts on perusal of the evidence and the orders as passed by both the trial court and the High Court, we do not find any such perversity resulting in total miscarriage of justice. Neither anything could be pointed out to us on that score. In that view of the matter, we are not inclined to intervene in the matter. As such, this appeal fails and is dismissed.

.SP1

.....J.
(U.C. Banerjee)

.....J.
(B.N. Agrawal)

New Delhi,
July 30, 2002.