

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 754 OF 2010

SUBHAJOY TRIPURA . & ANR.

.....Appellant(s)

Vs.

THE STATE OF TRIPURA HOME DEPARTMENT SECRETARYRespondent(s)

O R D E R

When this matter is taken up for hearing today, learned counsel for the State submits that as per his instructions, the appellants herein, after serving the terms of imprisonment, were released on 11.04.2016 while availing four years' remission as per the approval of Advisory Board; and they are now available at their homestead.

As regards the merits of the case, learned counsel for the appellants has seriously attempted to argue that except an uncertain nature evidence to the effect that the deceased was lastly seen with the appellants, there had not been any cogent connecting evidence and, therefore, their conviction cannot be said to be justified. However, it is noticed that the Trial Court and the High Court have returned concurrent findings of fact against the appellants and it is also noticed that there had not been any specific explanation by the appellants in their statements under Section 313 Cr.P.C. as to when did the deceased part with their company. Taking the totality of facts and circumstances into account, we find no reason to consider interference in the

concurrent findings of fact.

This appeal is, accordingly, dismissed.

However, dismissal of this appeal shall have no adverse bearing on the order of release already passed in favour of the appellants.

All pending applications also stand disposed of.

.....J.
(DINESH MAHESHWARI)

.....J.
(BELA M. TRIVEDI)

New Delhi;
September 01, 2022.

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(s). 754/2010

SUBHAJOY TRIPURA . & ANR.

Appellant(s)

VERSUS

THE STATE OF TRIPURA HOME DEPARTMENT SECRETARY

Respondent(s)

Date : 01-09-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MS. JUSTICE BELA M. TRIVEDI

For Appellant(s) Mrs. B. Sunita Rao, AOR
Mr. Gunmaya Mann, Adv.

For Respondent(s)
Mr. Shuvodeep Roy, AOR
Mr. Ayush Anand, Adv.

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

The appeal is dismissed in terms of signed order.

All pending applications stand disposed of.

(NEETA SAPRA)

COURT MASTER (SH)

(Signed order is placed on the file)

(BEENA JOLLY)

COURT MASTER (NSH)