

15.09.2021
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TN

CRA 714 of 2017
IA No: CRAN 1 of 2017
(Old No: CRAN 5479 of 2017)

In the matter of: Kutubuddin Sk

... appellant

Mr. Sagar Saha

.... for the appellant

Mr. Ranabir Roy Chowdhury,
Ms. Faria Hossain

....for the State

At the outset, learned counsel for the appellant submits that since the appellant has already served the full sentence awarded against him, the appellant does not want to proceed further with the appeal. However, since the appeal is against conviction, unless there is justification found for such conviction from the materials on records, the conviction ought not to be affirmed, even on the concession of the appellant, since the nature of the offence is of an offence against the State and might leave a stigma on the appellant.

It appears, upon hearing learned counsel for the State and going through the materials on record, that there was sufficient corroborative evidence to indict the appellant on the charges of Sections 326 and 307 of the Indian Penal Code. In the present case, it is evident that not only other relatives but the neighbours also corroborated the prosecution case. An enmity regarding property between the victim and the accused

is also borne out by the evidence, as discussed by the Trial Judge in the impugned judgment. The treatment-sheets and discharge certificate of the victim as well as other corroborative material evidence clearly go on to show beyond reasonable doubt that the accused was guilty of the charges levelled against him.

As such, CRA 714 of 2017 is dismissed.

Accordingly, IA No: CRAN 1 of 2017 (Old No: CRAN 5479 of 2017) is treated to be on the day's list and disposed of.

(Sabyasachi Bhattacharyya, J.)