

22.06.2022

Sl. No. 01

Srimanta

Ct.No. 42

IA No.:CRAN/3/2022

in

CRA/58/2016

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In the matter of : Bablu Karmakar

...petitioner.

Mr. Chinmoy Pal, Adv.,
Mr. Sourav Mondal, Adv.,
Mr. Archan Dutta, Adv.

...for the petitioner.

Mr. Anirban Mitra, Adv.

...for the C.B.I.

The appellant was convicted and sentenced to suffer simple imprisonment for one year with fine and default clause for the offence punishable under Section 7 of the Prevention of Corruption Act. He was also sentenced to suffer simple imprisonment for one and half years with fine and default clause for the offence punishable under Section 13(2) read with Section 13(1)(d) of the Prevention of Corruption Act by the Trial Court in Special Case No. 10(A) of 2011. The convict preferred an appeal before this Court being CRA/58/2016. This Court delivered judgment on 9th June, 2022 dismissing the appeal on contest and affirming the order of conviction and sentence. The appellant was directed to surrender before the Trial Court to suffer sentence within two weeks from the date of delivery of the judgment. Now, it is submitted on behalf of the appellant that the appellant wants to prefer an appeal before the Hon'ble Supreme Court assailing the judgment of affirmation passed by this Court on 9th July, 2022. Therefore, some time may be extended.

Learned Advocate for the CBI has opposed the prayer vehemently.

Having heard the Learned Counsels this Court is of the view that the appellant has the legal right to prefer an appeal against the judgement passed by this Court before the Hon'ble Supreme Court. For this purpose, he requires some time. Accordingly, the appellant is given liberty to file an appeal and obtain an order of stay of operation of the judgement passed by this Court within four weeks from this date, failing which the appellant will surrender before the Trial Court. No further time shall be granted on any reason whatsoever.

(Bibek Chaudhuri, J.)