

CRR 1477 of 2012  
CRAN 1 of 2012

In the matter of : Sri Dilip Das

Mr. Satyajit Mondal  
Mr. Suranjan Mondal ... for the petitioner

Mr. B. K. Ray  
Ms. Manisha Sharma ... for the State

Heard the learned advocates for the parties.

There is a delay of 240 days. I have the benefit of going through the testimony of P.W. 3 who is the victim and who narrated the incident as to how she was allured by the petitioner who promised to give her the question papers of the annual examination in order to help her to secure good result. In her testimony as P.W. 3 the victim stated as to how her modesty was outraged by the petitioner and there was no cross-examination.

It is submitted by Mr. Mondal, learned counsel representing the petitioner that delay may be condoned.

Upon perusal of application under Section 5 of the Limitation Act, I am of the view that delay of 240 days has not been explained properly. Therefore, I am not inclined to condone the delay.

The application for condonation of delay stands dismissed.

Consequently, the revisional application also stands dismissed being barred by limitation.

The petitioner is directed to surrender to the jurisdiction of the learned Trial Court to serve out the sentence within four weeks failing which learned Trial Court shall proceed in accordance with law.

Let a copy of the order be sent to the learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)