

68 01.05.2023
(AD) Court No.29

CRMSPL 44 of 2022
With
IA No.: CRAN 1 of 2022

In Re: - An application for leave to appeal under Section 378(3) of the Code of Criminal Procedure, 1973.

And

In the matter of: - Central Bureau of Investigation

... Appellant.

Mrs. Chandreyi Alam
Ms. Oisani Mukherjee

... for the appellant.

Mr. Sandip Chakraborty
Mr. Arun Kumar Upadhyay
Mr. Anjan Dasgupta

... for the respondent no.4.

Mr. Sanjay Chakraborty

... for the respondent nos.1,2,3 & 5.

The department reports 1242 days delay.

There is an application for condonation of delay.

Respondents are represented.

Affidavits filed in Court be taken on record.

Condonation of delay is being opposed on the ground that the application does not disclose adequate reasons for condonation.

While considering an application for condonation, the Courts are required to be lenient. Courts are not required to look for each and every day's explanation.

In the present application, the delay is sought to be condoned on the ground of intervening Covid, advocate's conduct as also procedural delays on the part of the CBI.

Considering the explanations in the light of a lenient view with

regard to condonation, we accept the grounds put forth for condonation.

Delay is condoned.

IA No.: CRAN 1 of 2022 is allowed.

CRMSPL 44 of 2022 is disposed of by permitting CBI to file an appeal within four weeks from date.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)