

23.08.2024
Serial no. 2
CT.-35
[G.S.D]

CRA 91 of 2020

In the matter of : Gour Ghosh

... .. Appellant

Ms. Anasuya Sinha
Ms. Subhasree Patel

... for the State

Report submitted by Ms. Sinha, Id. advocate for the State, be kept with the record. The report has been prepared by the Inspector-in-charge of Bongaon P.S., Bongaon Police District, North 24 Parganas, which reflects that the accused/appellant (Gour Ghosh) has already undergone custody for a period of about 76 days.

The records of the Id. Magistrate's Court reflect that the accused was arrested on 12.01.06 and, was granted bail on 28.03.06. There is an inadvertent error in the report of the I/C, Bongaon P.S., who has recorded that the accused/appellant (Gour Ghosh) was released on 08.03.2006. The same be read as 28.03.2006, in view of the records perused by this court.

The sentence so imposed by the Id. trial court in respect of the accused/appellant (Gour Ghosh) is for a period of 80 days and fine of Rs.1,000/-, i.d., imprisonment for 15 days for the commission of offence punishable under Section 201 of the IPC.

Having considered that the appellant has already served out 76 days of detention during the period of investigation and/or trial, I am of the view that without going into the merits of the case, it would be prudent in the circumstances to pass the following order: The sentence so imposed by the Id. trial court being Id. Additional Sessions Judge, Fast Track-2nd Court, Bongaon, North 24 Parganas in connection with Sessions Trial No. 62 of 2015 arising out of Bongaon P.S. Case No. 08 of 2006 dt. 11.01.2006 is reduced to the period already undergone.

If the appellant is on bail, he shall be discharged from the bail bond(s).

Accordingly, CRA 91 of 2020 is **Partly Allowed**.

Department is directed to communicate this order to the Id. trial court(s).

LCR be immediately sent to the concerned Magistrate Court and Id. Sessions Court, respectively.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)