

CRR No. 2051 of 2024

In the matter of : Sujoy Kumar Sarkar petitioner.

Mr. Samrat Choudhury
Mr. Harish Kumar Singh ...for the petitioner.

Mr. Dhiraj Trivedi
Ms. Swapna Jha ...for CBI.

Report submitted by the CBI is taken on record.

Heard learned counsels for the parties.

Un relied upon documents which include some LIC policies, locker key etc. were returned to the petitioner by the learned Trial Court vide order passed on 3rd July, 2023 in Special Case 1 of 2021 upon furnishing zimma bond of Rs.1,00,000/- on condition that the same would be produced in Court as and when required.

The petitioner seeks to encash the policies which he is unable to due to condition imposed upon him.

Report submitted by the CBI before the learned Trial Court on 6th February, 2023 indicates that the un relied upon documents were not required during trial of the case and could be returned to the petitioner.

By the order impugned, the learned Trial Court has turned down the prayer of the petitioner for relieving him of the condition imposed earlier primarily on the ground

that since such condition was imposed upon the petitioner by the same Court earlier, the learned Trial Court could not sit in appeal over his own order.

Since the CBI has recorded that the un relied upon items which have been returned to the petitioner will not be required during trial, the condition imposed upon the petitioner for return of the same vide order dated 3rd July, 2023 be set aside/withdrawn.

The petitioner is at liberty to utilize the un relied upon documents which are in his custody as prayed for.

The revisional application being CRR 2051 of 2024 is disposed of.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)