

**23.02.2026**  
Court No.35.  
D/L. 08.  
Rakib

**CRA (SB) 41 of 2025**  
**With**  
**CRAN 1 of 2025**  
**CRAN 2 of 2025**

**In the matter of : XXX.**

**.....Appellant/Petitioner.**

Ms. Sananda Bhattacharya  
.....for the applicant/petitioner  
Mr. Arijit Ganguly  
Mr. Santanu Talukdar  
.....for the State.

**In Re: CRAN 1 of 2025**

Affidavit-of-service filed by the applicant/petitioner be kept with the record.

The delay in preferring the restoration application is found to be just and sufficient. Accordingly, the condonation in respect of 90 days delay in preferring the restoration application is hereby allowed.

Thus, CRAN 1 of 2025 is allowed.

**In Re: CRAN 2 of 2025**

Learned advocate for the appellant/applicant submits that because of lack of communication when the appeal was called none represented the appellant. Accordingly, the Hon'ble Court by an order dated 05.05.2025 was pleased to dismiss the appeal.

Having considered that there is a sentence of seven years being imposed, I am of the opinion that let the appeal be restored to its original file and number. The order dated 05.05.2025 be recalled.

Accordingly, CRAN 2 of 2025 is allowed.

**In Re: CRA (SB) 41 of 2025**

Appeal is admitted.

Issue usual notices.

Call for the Trial Court Records.

Department is directed to prepare requisite number of Paper Books immediately on receipt of the Trial Court Records.

Appellant would be at liberty to take out an appropriate application for suspension of sentence and stay of realization of the fine.

Copy of the same be served upon the affected parties.

Let the application be listed after the service is completed upon the respondents.

All parties shall act in terms of server copy of the order downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**