

16.05.2025
Item No.6 with 7
Court No. 26
CHC

CRA (DB) 134 of 2025
IA NO: CRAN/1/2025
Shibaram @ Shibram Kumar & Anr.
Vs.
The State of West Bengal & Anr.

with
CRA (DB) 19 of 2025

Shibram @ Shibaram Kumar & Anr.
Vs.
The State of West Bengal

Mr. Kunal Ganguly, Advocate
Mr. Shraman Sarkar, Advocate
...for the appellants in CRA(DB)/134/2025

Ms. Puja Goswami, Advocate
...for the appellants in CRA(DB)/19/2025

Mr. Sanjoy Banerjee, Advocate
Mr. Sobhan Gani, Advocate
...for the State in CRA(DB)/134/2025

1. State is represented.
2. CRA (DB) 134 of 2025 and CRA (DB) 19 of 2025 are appeals preferred by the same convicts against the same impugned judgment of conviction and the order of sentence.
3. Coordinate Bench by an order dated May 17, 2017 passed in CRA 380 of 2014 and CRA 450 of 2012 was of the following view with regard to his appeals being filed by the same accused against the same impugned judgment of conviction and order of sentence:-

“Be that as it may, since the subsequent appeals in question are not maintainable in the eye of law, inasmuch as the convict has a right to file criminal appeal against his order of conviction and

sentence only once and filing of multiple appeals against the self-same judgment and order is not permissible, all the criminal appeals filed subsequently stand dismissed.

As a matter of abundant caution, we direct henceforth that the department while processing the appeal and placing the same before the bench for admission, they must verify whether or not any appeal against the self-same judgment and order at the behest of the same appellant, is pending or not and shall report accordingly.

We direct the office to continue the enquiry as already commenced and submit a report one week after vacation before the appropriate bench. This order shall be brought to the notice of the Hon'ble Acting Chief Justice through the Registrar (Administration) for Her Lordship's information and for further directions, if any, on the administrative side."

4. In view of such direction of the coordinate Bench, and since, CRA (DB) 134 of 2025 is second in point of time when CRA (DB) 19 of 2025 was admitted on February 10, 2025, CRA (DB) 134 of 2025 alongwith connected application is dismissed as not maintainable.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)