

29.07.2025
Ct. No.446
SL. No.21
PG

C.R.A. 392 of 2009
With
I.A. No. CRAN 2 of 2011 (Old No. CRAN 1738 of 2011)
Labu @ Ayub Nabi Sk. & Anr.
-Vs.-
The State of West Bengal

Mr. Avishek Sinha

.....For the State

None appears on behalf of the appellants. Mr. Avishek Sinha, learned advocate appears for the respondent/State. In terms of the direction of this Court dated 14th July, 2025, a report has been placed before this Court by Mr. Avishek Sinha, learned advocate for the respondent/State, which primarily reveals that on further inquiry, it is found that the convict person viz., Labu @ Ayub@ Nabi Sk., son of late Hiring Sk. has expired on 1st June, 2022 after serving sentence. A copy of the death certificate is also annexed with the report, as furnished by the IC Monteswar, Purba Bardhaman to the learned Public Prosecutor, High Court at Calcutta.

Let the said report be part of this record.

In terms of this report, this criminal appeal being C.R.A. 392 of 2009 no longer subsists and is being abated. Accordingly, let this criminal appeal being C.R.A. 392 of 2009 be and the same is hereby disposed of as being abated.

At this stage, it is seen that the Paper Book of this criminal appeal (C.R.A. 392 of 2009) is tagged with C.R.A. 355 of 2009 (Bablu Sk. vs. State of West Bengal). Mr. Sinha, learned advocate appears on behalf of the respondent/State and submits that the paper book has not yet been served upon the State.

The department is directed to hand over the paper book, if not already handed over to Mr. Sinha in respect of criminal appeal (C.R.A. 355 of 2009).

The department is further directed to send the record of criminal appeal (C.R.A. 355 of 2009) to this Court for being listed.

List C.R.A. 355 of 2009 on 18th August, 2025 or any date thereafter as and when this Court will sit.

The learned Public Prosecutor, High Court, Calcutta is directed to regularise the engagement of Mr. Avishek Sinha, learned advocate to represent the State in C.R.A. 355 of 2009.

Department is directed to send a copy of this order to the office of the learned Public Prosecutor, High Court at Calcutta forthwith.

(Chaitali Chatterjee (Das), J.)