

25.06.2026
Item no.32
Ct. No.237
AKG

C.R.R. 4856 of 2025
Sri Dilip Kumar Santra & Ors.
Vs.
The State of West Bengal & Anr.

Mr. Suranjan Mandal,
Ms. Mousumi Biswas

.....for the Petitioners

Mr. Pawan Kr. Gupta,
Mr. Sudipta Majumder,
Ms. Sofia Nesar,
Mr. Santanu Sett
Ms. Suchismita Chakraborty

...for O.P. No. 2

Learned advocate appearing for the petitioners submits that the petitioners were discharged on March 7, 2024 by the learned Judicial Magistrate, 3rd Court, Diamond Harbour, in connection with Case No. C-151/14 under Sections 447, 448, 323 and 506 of the Indian Penal Code, 1860.

Subsequently, opposite party no. 2/complainant preferred an appeal along with an application for condonation of delay of approximately 60 days.

It is the grievance of the petitioners that the application for condonation of delay was allowed by the learned Appellate Court on July 1, 2024 without affording them an opportunity of hearing.

Opposite party no. 2 is represented. The factual assertions made on behalf of the petitioners are not disputed.

In view of the aforesaid, the order dated July 1, 2024 passed by the learned Additional Sessions Judge, Diamond Harbour,

South 24-Parganas, in Criminal Appeal No. 05 of 2024, is set aside.

The learned Sessions Judge shall hear the petitioners as well as opposite party no. 2 and thereafter decide the application for condonation of delay, in accordance with law, within a period of one month from the date of communication of this order.

Accordingly, **CRR 4856 of 2025** is disposed of.

(Kausik Chanda, J.)