

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl) No(s).8775/2009
(From the judgement and order dated 29/07/2009 in CRM No. 9575/2009
of The HIGH COURT OF CALCUTTA)

DIPAK KUMAR SAMANTA

Petitioner(s)

VERSUS

STATE OF WEST BENGAL & ANR.

Respondent(s)

(With appln(s) for cancellation of bail)

Date: 11/05/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MARKANDEY KATJU
HON'BLE MR. JUSTICE A.K. PATNAIK

For Petitioner(s) Mr. Suchit Mohanty, Adv.
 Mr. Amit Sharma, Adv.
 Mr. Gouranga Biswal, Adv.
 Mr. Anupam Lal Das, Adv.

For Respondent(s) Mr. Tara Chandra Sharma, Adv.
For R-1 Ms. Neelam Sharma, Adv.

UPON hearing counsel the Court made the following

O R D E R

There is no appearance on behalf of respondent
No. 2 despite service of notice.

Heard learned counsel for the petitioner and
learned counsel appearing for the State of West Bengal.

In the facts of the present case, we are not
inclined to exercise our discretionary jurisdiction under
Article 136 of the Constitution of India. The special
leave petition is dismissed.

However, the petitioner is at liberty to approach
the High Court for cancellation of bail on the ground
that the accused is absconding. If such an application
is filed, the same shall be decided on its own merits.

(Indu Satiya) (Ajay Kr. Jain)
Court Master AR-cum-PS