

ITEM NO.46

COURT NO.7

SECTION II-B

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 (CrI.) No(s). 12935/2022

(Arising out of impugned final judgment and order dated 08-12-2022 in CRR No. 20/2022 passed by the High Court of Calcutta Circuit Bench at Jalpaiguri)

RAHUL CHAKRABORTY & ORS.

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL & ANR.

Respondent(s)

(IA No.205283/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.205284/2022-EXEMPTION FROM FILING O.T.)

Date : 13-01-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE M.M. SUNDRESH

For Petitioner(s)

Mr. Rauf Rahim, AOR
Mr. Imran Siddiqui, Adv.
Mr. Ali Asghar Rahim, Adv.

For Respondent(s)

UPON hearing the counsel, the Court made the following
O R D E R

While we are not inclined to interfere with the impugned judgment, we clarify that it will be open to the petitioners to raise all pleas and contentions at the time of issue of notice/arguments on the question of framing of charge. The said pleas and contentions will be considered and examined in accordance with law.

Further, it will be open to the petitioners to file an application seeking exemption from personal appearance, which will be considered and, if justified, will be allowed by the trial

court.

It will also be open to the petitioners to request the trial court to explore possibility of settlement/mediation.

Recording the aforesaid, the special leave petition is dismissed.

Pending application(s), if any, shall stand disposed of.

(BABITA PANDEY)
COURT MASTER (SH)

(R.S. NARAYANAN)
COURT MASTER (NSH)