

ITEM NO.6

COURT NO.4

SECTION II-B

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

RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL)Diary No(s).50218/2023

(Arising out of impugned final judgment and order dated 07-04-2022 in CRM(A) No.1304/2022 passed by the High Court at Calcutta)

SANAUL SK @ SENAUL HOQUE

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL

Respondent(s)

(IA No.13294/2024-CONDONATION OF DELAY IN FILING and IA No.13296/2024-EXEMPTION FROM FILING O.T. and IA No.13295/2024-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS)

Date : 22-01-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Vijay Dahiya, Adv.
Mr. Amitesh Chandra Mishra, Adv.
Ms. Reetu Saipawar, Adv.
For M/S. Acn Legal, AOR

For Respondent(s)

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

1. Delay condoned.
2. The petitioner is an accused in FIR No.632/2019, registered under Section 498A, 376, 323, 379, 506 and 34 IPC at Police Station English Bazar, District Malda, West Bengal.
3. The High Court declined anticipatory bail to the petitioner on 07.04.2022. During the course of hearing, it is stated that the petitioner went to Dubai and has recently returned. It appears to us that the proceedings to declare the petitioner as a proclaimed offender have been already initiated and the victim has made a statement against him under Section 164 Cr.P.C.
4. Taking into consideration all the attending circumstances, we are not inclined to grant anticipatory bail to the petitioner.

5. The Special Leave Petition is, accordingly, dismissed.

6. However, if the petitioner surrenders before the Trial Court and, thereafter, applies for regular bail, let such petition be heard expeditiously as per its own merit without being influenced by the observations made by the High Court in the impugned order or by this Court hereinabove.

7. As a sequel to the above, the pending interlocutory application also stands disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)