

ITEM NO.36

COURT NO.11

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 2651/2019

(Arising out of impugned final judgment and order dated 05-10-2018
in CRM No. 6627/2018 passed by the High Court At Calcutta)

STATE OF WEST BENGAL

Petitioner(s)

VERSUS

ALAUDDIN MOLLA ALIAS ALA

Respondent(s)

(IA 13643/2019-CONDONATION OF DELAY IN FILING
IA 13646/2019-EXEMPTION FROM FILING O.T.)

Date : 25-02-2019 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE AJAY RASTOGI

For Petitioner(s) Ms. Madhumita Bhattacharjee, AOR
Ms. Srija Choudhury, Adv.

For Respondent(s) Mr. Zoheb Hossain, AOR
Mr. M. Hossain, Adv.
Ms. Adeeba Mujahib, Adv.
Ms. Naincy Jain, Adv.
Ms. Shahan Ulla, Adv.

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

We have heard counsel for the parties.

Delay condoned.

Application for exemption from filing
official translation is allowed.

We are not inclined to interfere with the
discretionary order passed by the High Court in the
peculiar facts of the present case. The Special
leave petition is dismissed.

The dismissal of this special leave petition, however, shall not come in the way of the prosecution to pursue all contentions available before the trial Court which will have to be decided in accordance with law.

Our attention was also invited to the observation made in the impugned order that a copy of the impugned order be forwarded to the Legal Remembrancer, Govt. of West Bengal to ensure effective prosecution of the case. In our view, this is not an adverse expression of opinion as there is no indication in the entire order for which any apprehension need be entertained.

(NEETU KHAJURIA)
COURT MASTER

(VIDYA NEGI)
COURT MASTER