

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSCRIMINAL APPEAL NO(S). 2445/2023

MIJAI MOLLA @ MIJANUR MOLLA & ORS.

Appellant(s)

VERSUS

THE STATE OF WEST BENGAL

Respondent(s)

(FOR ADMISSION and I.R.)

WITH

Crl.A. No. 2317/2023

(FOR ADMISSION and I.R. and IA No.143420/2023-PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Crl.A. No. 2805/2023

Date : 07-02-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Appellant(s)

Mr. Rohit Dutta, Adv.
Ms. Ananya Bannerjee, Adv.
Mr. Anas Tanwir, AORRajeshri Nivvratirao Reddy, Adv.
Ms. Shivani Jain, Adv.
Ms. Meenakshi Kalra, Adv.
Mr. Abhijit Sengupta, AOR

For Respondent(s)

Mr. Biswajit Deb, Sr. Adv.
Mr. Anando Mukherjee, AOR
Mr. Shwetank Singh, Adv.Ms. Anju Thomas, Adv.
Ms. Mantika Haryani, Adv.
Ms. Astha Sharma, AORUPON hearing the counsel the Court made the following
O R D E R

These Appeals challenge the orders of conviction. In these Appeals, leave was granted in August, 2023, but the Registry has

not called for the record of the Trial Court. In our opinion, whenever leave is granted in an appeal challenging the order(s) of conviction or order(s) of acquittal, there has to be a practice of immediately calling for the soft copies of the record of the High Court and the Trial Court; to upload the same on the system; and to provide soft copies thereof to the learned counsel representing the parties. However, we find that in a large number of appeals unless there is an order of the Court to that effect, the record is not being called for and, therefore, hearing of the appeals get delayed.

In the present Appeals, the prayer for bail has been rejected by this Court. As all the depositions are not on record, we are forced to adjourn the case. Therefore, it will be appropriate if the Registrar (Judicial) seeks appropriate administrative directions from Hon'ble the Chief Justice of India so that the Registry will call for the soft copies of the record of the High Court and the Trial Court immediately after leave is granted in such cases.

In the present Appeals, the Registry is directed to immediately call for the soft copies of the record of the High Court and the Trial Court. The soft copies thereof be provided to the learned counsel representing the parties.

We direct the learned counsel appearing for the appellant to place on record a compilation of notes of evidence of all the witnesses along with other relevant exhibited documents on the record of the Trial Court.

To enable the learned counsel appearing for the appellant to do so, list on 3rd April, 2024.

A copy of this order be forwarded to the Registrar (Judicial).

(ASHISH KONDLE)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)