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HIGH COURT OF TRIPURA  
AGARTALA

W.P.(Crl.) No. 03 of 2014

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For Petitioner(s) : Mr. Samarjit Bhattacharjee, Amicus Curiae.  
For Respondent(s) : Mr. B. Majumder, Asstt. S.G.  
Mr. D. Bhattacharya, Government Advocate.  
Mr. P. Saha, Advocate.

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HON'BLE THE CHIEF JUSTICE MR. INDRAJIT MAHANTY  
HON'BLE MR. JUSTICE S.G. CHATTOPADHYAY

Order

16/11/2021

(*Indrajit Mahanty, C.J.*)

Heard Mr. Samarjit Bhattacharjee, learned Amicus Curiae as well as Mr. D. Bhattacharya, learned Government advocate.

Perused the affidavit dated 01.10.2021. This case was registered in the year 2014. Eight long years have gone by and in spite of what has been stated in the affidavit, in reality the people are poor investors from the State of Tripura remain uncleared with the fond hope that some day in the not too distant future, their deposits may be refunded to them. The affidavit referred to hereinafter notes the fact that investigation in 71 cases have been completed by the SIT and only one other case remains pending for conclusion and charge sheets have been filed against 480 accused persons. This Court has been further informed by the learned Government Advocate that actions have been initiated before the learned Special Judges of the Special Courts seeking attachment of properties of the Companies and the Directors and the steps taken by the SIT as well as by the State are likely to bare through at an early date.

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In spite of the assurance given by the learned Government Advocate, this Court is of the considered view that the Government should appoint special prosecution counsel to chase up the charge sheet submitted by the SIT, since, we are of the considered view that specially appointed counsel would be less burdened with work and would have more time and interest to prosecute the charge sheet submitted. Accordingly, we so direct that necessary number of counsel may be appointed in various Courts where all the charge sheets have been submitted by the SIT within a period of two weeks from today. They shall in turn submit weekly reports to the Head of the SIT which shall ensure that all necessary steps as required from the prosecution is taken up at an early date. In particular, we direct that the steps for attachment of the properties of the accused need to be taken up at the earliest and we call upon the Special Judges of the Special Courts also to take up these issues with the due urgency that the matter deserves. Further report on the status of the prosecution may be filed prior to the next date.

It is also stated in the report that several of the accused persons as well as the assets of the accused Companies and of Directors are located outside the State of Tripura. In this respect, we called upon the Union of India to issue necessary instructions to the learned ASGs where requests are sent from the State of Tripura pertaining to any action that needs to be taken vis-a-vis the attachment of the properties of the accused. The learned ASGs of the various states may be requested to extend the kind assistance in enforcement of law.

In the present case, the IG heading the SIT may make such requests to the concerned ASGs of the State through the office of the ASG, Tripura who is requested to extend his kind assistance in this regard.

Copy of this order shall be handed over to the learned Government Advocate, learned ASG as well as learned Amicus Curiae in course of the day.

It is further brought to our notice in the present affidavit that 3(three) of the FIRs have been transferred to the CBI. Insofar as the said 3(three) cases are concerned, the learned ASG is directed to file an affidavit within four weeks containing the present status report of the said cases.

It is further stated by the learned Government Advocate that the State of Tripura have notified public at large i.e. the depositors in the State of Tripura in the NBFCs against whom charge sheets have been filed to submit their claims before the specified authority created by the State. In this regard, the State is directed to put out advertisement in all local newspapers especially in vernacular having wide circulation throughout the State of Tripura as well as through the medium of social media as well as television so that people may be made aware so that they can lodge their claim statements along with necessary documents before the authority created by the State.

The time schedule, if any, fixed by the State may be indicated in the said advertisement.

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List this matter on **04.01.2022**.

**(S.G.CHATTOPADHYAY), J**

**(INDRAJIT MAHANTY), CJ**