



IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. OF 2025  
(@ SPECIAL LEAVE PETITION(CRIMINAL)NOS. 15204-15206/2024)

TAPASH DATTA ETC.

APPELLANT(S)

VERSUS

THE STATE OF TRIPURA

RESPONDENT(S)

O R D E R

Heard learned counsel for the parties.

2. Leave granted.

3. The present appeals are directed against the common impugned order dated 25.07.2024 passed by the High Court of Tripura, Agartala in Criminal Revision Petitions No. 33, 30 and 31 of 2023 respectively, whereby the High Court upheld the judgment and sentence passed by the Sessions Judge, Belonia, South Tripura, on 17.05.2023 in Criminal Appeals No.1,2 and 3 of 2022.

4. The appellants were convicted under Sections 353 and 447 read with Section 34 of the Indian Penal Code, 1860 (for short, the 'IPC'). The trial Court sentenced them to two years' simple imprisonment for the offence punishable under Section 353 read with Section 34 of the IPC, and two months' simple imprisonment with a fine of Rs.500/-, with a further ten days' imprisonment in default of payment, for the offence punishable under Section 447 of the IPC. Their appeals were dismissed by the Sessions Court, and the

conviction and sentence were affirmed by the High Court.

5. Learned counsel for the appellants submitted that, in terms of the earlier order of this Court dated 31.07.2025, the appellants were released on interim bail and thereafter, they physically presented themselves before the Court of Judicial Magistrate First Class, Belonia, South Tripura, and tendered apologies for their conduct. Upon expiry of the interim bail period, they again surrendered and are presently in custody.

6. It was submitted that the allegations relate to an incident which occurred during a political agitation within the Court campus, and the appellants were neither showing any disrespect nor had any intention to violate the sanctity of Court premises.

7. Learned counsel for the appellants further submitted that, in view of the concurrent findings of conviction, the Court may grant them indulgence with regard to the sentence and not require the appellants to undergo any further period of incarceration, as they have shown remorse and have also undertaken corrective measures.

8. It was submitted that the appellants have no criminal antecedents.

9. Learned counsel for the State submitted that the conduct of the appellants does not warrant any leniency, but he left it to the Court to take a call with regard to the sentence.

10. Having considered the matter, we are in agreement with the findings of conviction of the appellants as recorded by

the trial Court and affirmed by the Revisional Court. Thus, the conviction of the appellants stands upheld.

11. However, considering the period already undergone (which is more than 210 days), and in view of the conduct of the appellants in physically appearing before the Courts, tendering apologies, and undertaking not to commit such offence in future, we are persuaded to show leniency in the quantum of sentence.

12. In this regard, separate affidavits have also been filed by the appellants, namely, Sri Tapash Datta, Sri Babul Chandra Debnath and Sri Trilokesh Sinha, which are identical. For the sake of brevity, one of the affidavits is reproduced hereunder:-

“ **AFFIDAVIT OF COMPLIANCE**

I, SRI TAPASH DATTA, aged about 60 Yrs, S/0- Late Sukumar Datta, resident of Sarashima, P.S.- Belonia, South Tripura, do hereby sincerely affirm and state as follows:

1. I am the Petitioner No. 1 in the above-mentioned Application, and as such I am well conversant with the facts of the case and thus competent to swear this affidavit.

2. That, the Petitioners are the accused persons in the above-captioned matter and are presently on interim bail pursuant to the directions of this Hon'ble Court contained in its **order dated 31-07-2025** in **SLP (Crl.) Nos. 15204-15206/2024**.

3. That, under the aforesaid order, this Hon'ble Court was pleased to grant the Petitioners an opportunity to demonstrate their bonafide and heartfelt regret for the act committed, including by way of tendering an apology.

4. That, in sincere compliance with the said order, the Petitioners filed an application dated **11-08-2025** before the ***Learned Court of the Judicial Magistrate 1<sup>st</sup> Class(Trial Court), Belonia, South Tripura,*** seeking permission to express heartfelt regret and tender an unconditional apology in open court. A true copy of the application dated **11-08-2025** filed by the Deponent before the ***Learned Court of the Judicial Magistrate. 1<sup>st</sup> Class, Belonia, South Tripura,*** seeking permission to express heartfelt regret and tender an unconditional apology in open court is annexed herewith as Annexure A/1.

5. That, pursuant thereto, on **11-08-2025** the Petitioners appeared before the Learned Trial Court and duly tendered their unconditional and heartfelt apology in open court. A certified copy of the order dated **11-08-2025** passed by the ***Learned Judicial Magistrate 1<sup>st</sup> Class, Belonia, South Tripura,*** recording the said tendering of apology, is annexed herewith as Annexure A/2.

6. That, thereafter, the petitioners approached other courts, including the District & Sessions Court, to tender apology in furtherance of the directions of this Hon'ble Court. However, those courts declined to entertain any such application or request, inter alia, on the ground that there was no specific direction of this Hon'ble Court requiring the apology to be tendered before them. The Petitioners were not even permitted to tender a verbal apology before such courts.

7. That, in view of the above circumstances, the petitioners most respectfully submit that while they have complied with the directions of this Hon'ble Court to the extent possible and have genuinely expressed their regret and apology before the Learned Trial Court at Belonia, South Tripura, they were unable to comply with the order in its entirety due

to the refusal of other courts to entertain their prayer.

8. That, the Petitioners submit this affidavit in good faith and with utmost sincerity, placing before this Hon'ble Court the steps taken in compliance with its order and the reasons for partial compliance beyond their control.

9. I state that the facts mentioned therein are true to my knowledge and belief and information derived from the records of the case as per the legal advice received from my lawyer and believed by me true. I say that the facts and circumstances mentioned herein are true and correct.

10. That, the averments in Para 1 to 9 of this affidavit are true and correct.

**DEPONENT**

**VERIFICATION**

I, the above-named deponent affirms that the contents of Para 1 to 9 of this affidavit are true and correct to best of my knowledge and belief and no part of it is false and nothing material has been concealed there from.

Verified on this the **21st day of August, 2025** before the Notary Public at Agartala, West Tripura.

**DEPONENT"**

13. Accordingly, in the background of the discussions made herein above, the appeals stand partly allowed. The conviction of the appellants is upheld, but the quantum of sentence stands modified and reduced to the period already undergone.

14. The appellants be released from custody forthwith, if not required in any other case.

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

.....J.  
(AHSANUDDIN AMANULLAH)

.....J.  
(S.V.N. BHATTI)

NEW DELHI  
07TH OCTOBER, 2025

ITEM NO.64

COURT NO.13

SECTION II

**S U P R E M E C O U R T O F I N D I A**  
**RECORD OF PROCEEDINGS**

**Petition(s) for Special Leave to Appeal(Crl.)No(s).15204-15206/2024**

[Arising out of impugned final judgment and order dated 25-07-2024 in CRLRP No. 33/2023 25-07-2024 in CRLRP No. 30/2023 25-07-2024 in CRLRP No. 31/2023 passed by the High Court of Tripura at Agarthala]

TAPASH DATTA ETC.

PETITIONER(S)

VERSUS

THE STATE OF TRIPURA

RESPONDENT(S)

Date : 07-10-2025 These petitions were called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH**  
**HON'BLE MR. JUSTICE S.V.N. BHATTI**

**For Petitioner(s)** Mr. P.V.Surendranath, Sr. Adv.  
Mr. Biju P Raman, AOR  
Ms. Usha Nandini V., Adv.  
Mr. John Thomas Arakal, Adv.  
Mr. Sawan Kumar Shukla, Adv.  
Ms. Lekha Sudhakaran, Adv.

**For Respondent(s)** Mr. Shuvodeep Roy, AOR  
Mr. Deepayan Dutta, Adv.  
Mr. Saurabh Tripathi, Adv.

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

Leave granted.

2. The appeals stand partly allowed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

**(VARSHA MENDIRATTA)**  
**COURT MASTER (SH)**

**(ANJALI PANWAR)**  
**COURT MASTER (NSH)**

(Signed order is placed on the file)