

03.12.2021

CRA 151 of 1995

Court : 35
Item : PB-03
Matter : CRA
Status : DISPOSED OF
Transcriber: NANDY

Nikhil Fadikar
Vs.
The State of West Bengal

Mr. Binay Kumar Panda, Advocate
Mr. Sandip Chakraborty, Advocate

..... for the State

None appears for the appellant. None appears for the private respondent nos. 1 to 4. Respondent No. 5, State of West Bengal is represented by Mr. Binay Kumar Panda.

It appears that despite issuance of several administrative notices to the parties, none of them could be brought on record. From the conduct of the parties, I feel that the parties have lost their interest to proceed with the appeal further.

Mr. Binay Kumar Panda, learned Advocate appearing for the State of West Bengal submits that the Court may pass necessary order or direction as the Court deems proper after going through the case record.

Being aggrieved by the judgment and order of acquittal dated January 5, 1994 passed by the learned Judicial Magistrate, First Court, Howrah in C. Case No. 2421-C of 1989/TR No. 355 of 1991 the appellant/complainant initially preferred a Criminal Misc. Case No. 1810 of 1994. Subsequently, the Criminal Misc. Case has been converted into the instant criminal appeal.

The appellant/complainant brought the aforesaid

complaint case 2421-C of 1989 against the respondent nos. 1 to 4 namely, Kalipada Mondal, Anup Sarkar, Haraprasad Mondal and Sibaprasad Mondal under Section 448/323/506 of the Indian Penal Code. By the judgment and order dated January 5, 1994, the learned Judicial Magistrate, First Court Howrah acquitted the aforesaid private respondents of the offences as alleged.

I have minutely read the judgment of the learned Judicial Magistrate. I have also gone through the other materials-on-record. I do not find any illegality or irregularity in the judgement. Therefore, I do not find any reason or justification to interfere with the judgment as impugned.

As stated above, none of the parties is interested to proceed with the appeal,

In view of the above, the appeal stands dismissed.

The judgment and the order of acquittal passed by the learned Judicial Magistrate, First Court, Howrah in C. Case No.2421-C of 1989/TR No. 355 of 1991 on January 5, 1994 is hereby confirmed.

Send back the relevant case records to the learned Court below along with the copy of this order.

CRA 151 of 1995 is disposed of accordingly.

(Rabindranath Samanta, J.)

