

01.12.2021

GA 4 of 1984

Court : 35
Item : PB-02
Matter : GA
Status : DISPOSED OF
Transcriber: NANDY

The State of West Bengal
Vs.
Chanchal Kanti Dutta @ Pintu

Mr. Saswata Gopal Mukherjee, Learned Public Prosecutor
..... for the State

The instant appeal has been preferred by the State of West Bengal being aggrieved by the judgment and order of acquittal passed by the learned Assistant Sessions Judge, Seventh Court, Alipore. The respondent is the sole accused Chanchal Kanti Dutta @ Pintu. The respondent who was accused in connection with Bhawanipore Police Station Case No.578 dated November 15, 1981 under Section 307 of the Indian Penal Code was tried by the learned Assistant Sessions Judge, Seventh Court, Alipore in S.T. No. 4 (7) 1983. From the case record, it is evident that despite all the processes were exhausted to bring him on record, the respondent/accused could not be brought on record.

Mr. Saswata Gopal Mukherjee, learned Public Prosecutor fairly submits before the Court that he has no instruction from the State and this Court may pass necessary order, as the Court deems fit and proper.

I have minutely read the judgment passed by the learned trial Judge. I have also waded through the evidence-on-record.

What I perceive, the judgment of the learned trial Judge is based on evidence-on-record, which he properly assessed. I

find no reason to interfere with the judgment rendered by the learned Court below.

In view of the above, the appeal is dismissed. The judgment and the order of acquittal passed by the learned trial Judge is confirmed.

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

GA 4 of 1984 is disposed of accordingly.

(Rabindranath Samanta, J.)