

Sr. 19
05-08-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 526 of 2012

In Re : **Ashima Pal**Petitioner.

In the matter of : An application under Sections 401/482 of the Code of Criminal Procedure.

The revisional application was preferred against an order of acquittal passed in SC 115(3) 11 corresponding to ST 3(5)11 passed by the learned Additional Sessions Judge, 2nd Fast Track Court, Kalyani, Nadia.

The charges for which the offence was tried were under Sections 323/307 of the Indian Penal Code. The learned trial court on a proper appreciation of the materials so placed in course of evidence came to the conclusion. Further, the learned trial court based its finding on withholding the evidence by the prosecution and non-seizure of vital materials while arriving at its conclusion.

Having regard to the fact that the order was passed in the year 2011 and the reasons so assigned by the learned trial court are not based on surmises and conjectures, I am of the

view that at this belated stage no interference is called for by this court.

Accordingly, the present revisional application being CRR 526 of 2012 is dismissed.

All pending applications, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

Department is directed to send down the LCRs to the learned court below.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)