

Sl. 182
14.7.2021
Court No.26
SD

CRR 2038 of 2007
(Via Video Conference)

In the matter of: Shruti Mitra & Ors.

... Petitioners.

Mr. Souvik Mitter

...for the Petitioners.

Mr. Souvik Mitter, counsel appearing on behalf of the petitioners, submits that the complainant before the trial Court 'Smt. Sipra Mitra' has expired. Accordingly, he submits that an application under Section 256 of the Code of Criminal Procedure, 1973 lies before the Magistrate for acquitting the accused for non-appearance for the death of complainant.

Mr. Mitter submits that even though he has a good case on merits in the revisional application, he may be given liberty to withdraw this revisional application and file an appropriate application before the Magistrate in light of the changed circumstances.

In light of the above submissions, this revisional application is disposed of with liberty granted to the petitioner to file appropriate application before the trial Court in accordance with law. Interim order, if any, stands vacated.

I make it clear that I have not entered into the merits of this revisional application.

Department is directed to send down the lower court records to the Court below forthwith.

(Shekhar B. Saraf, J.)