

16.8.2022

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Ct-08

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CRA 50 of 1988

Swapan Paul

Vs.

State of West Bengal & Ors.

Mr. Narayan Prosad Agarwal
Mr. Pratick Bose ... For the State

Despite service of notice upon the appellant, none is found present in court, either the appellant himself or an advocate representing the appellant.

Learned advocate representing the State is present.

This appeal is directed against the order passed by the learned S.D.J.M, Hooghly on 18.9.1987 in CR Case No. 184 of 1986.

The appellant filed a petition of complaint before the learned Trial Court against four accused persons contending, inter alia, that on 18th August, 1986 the accused persons published news in Jugantar Patrika that the complainant committed rape. Learned S.D.J.M issued process after examining complainant under Section 200 Cr.P.C having taken cognizance of the petition of complaint. From the impugned order it appears that despite being given several opportunities, the complainant did not appear before the Court and on the fifth occasion learned Trial Court was pleased to invoke the provision under Section 256(1) Cr.P.C and recorded an order of acquittal against all the accused persons.

After preferring the application for appeal, the appellant did not persuade the appeal diligently, the appeal is pending for 34 years. At this stage, I do not find any reason to interfere with the impugned order. Consequently, the appeal stands dismissed.

Urgent photostat copy of this order, if applied for, be given to the parties upon usual undertaking.

(Siddhartha Roy Chowdhury,J.)