

07.03.2022

Ct. No. 42

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**CRMSPL 6 OF 2016**

Sumati Rajak  
vs.  
Subal Ghosh & Ors.  
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In Re : Application for Special Leave to Appeal under Section 378(4) of the Code of Criminal Procedure, filed on 5<sup>th</sup> February, 2016.

This is an application under Section 378(4) of the Code of Criminal Procedure praying for Special Leave to Appeal against an order of acquittal passed by the learned Judicial Magistrate, 1<sup>st</sup> Court, Chanchal, Malda on 27<sup>th</sup> November, 2015 in Complaint Case No. 170C of 2010.

At the time of verification of the application it was found that the application for Special Leave to Appeal is barred by limitation. The petitioner was directed to file proper application under Section 5 of the Limitation Act. But since 10<sup>th</sup> February, 2016, the petitioner did not take any step by filing a proper application under Section 5 of the Limitation Act.

Accordingly, the application for Special Leave to Appeal being barred by limitation is liable to be rejected.

The application for Special Leave to Appeal is thus rejected.

**(Bibek Chaudhuri, J.)**