

27.01.2022

Sl. No. 28.

Mithun

Ct.No.42.

IA No: CRAN/1/2016 (Old No:CRAN/4932/2016)

In

CRA 318 of 2016

(Via Video Conference)

In re: An application under Section 378(4) of the Code of Criminal Procedure, 1973.

In the matter of : **Surya Narayan Rakshit.**

...Appellant.

The instant appeal has been filed against a judgment passed by the learned Judge, Special Court-cum-Additional District & Sessions Judge, Alipore at South 24 Parganas in Criminal Motion No.314 of 2015. The above-mentioned Criminal Motion arose out of an application under Section 397/399 of the Indian Penal Code. The revisional jurisdiction of the Sessions Court and this Court is concurrent. No appeal lies against the order passed in revision by the learned Sessions Judge.

Therefore, the instant appeal is not maintainable. Moreover, the memorandum of appeal is barred by limitation. On that ground also the appeal is held to be not maintainable.

Accordingly, the instant appeal is summarily dismissed being not maintainable.

(Bibek Chaudhuri, J.)

