

12.09.2022

Court No.35
Item No. 23

d.g.

CRR 1948 of 2016

**Smt. Parul Bera
Vs.
Mrigen Dey & Ors.**

Mr. Sanjib Kumar Mukhopadhyay,
Ms. Nargish Parveen.

... For the petitioner

Mr. Prabir Kumar Mitra,
Mr. Jayanta Das,
Ms. Soumita Ghosh.

... for the OP

Mr. Sanjib Kumar Mukhopadhyay, learned Advocate appears for the petitioner. It is submitted that the petitioner who has been the complainant before the Trial Court has breathed her last on 14th May, 2021.

A photocopy of the death certificate is submitted in Court today. Let the same be kept with the record.

Mr. Mitra appearing for the opposite parties, has submitted emphatically about the non-maintainability of this revision, as the petitioner has filed the same challenging an acquittal order, granted by a magistrate, without obtaining leave of the Court and thus, according to him, having violated a mandatory statutory provision.

Pursuant to the death of the sole complainant, being the present petitioner, there appears to be no ground for the petitioner to continue the present proceedings, which, in my considered opinion, has become infructuous.

Accordingly, the present criminal revisional application is found infructuous and disposed of with the observations as above.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Rai Chattopadhyay, J.)

