

01.02.2022
S/L No.27
KS

(Via Video Conference)
C.R.A. 315 of 2000

Kajal Roy
-Vs.-
Prasanta Roy

This appeal has been preferred by the appellant under Section 378(4) of the Code of Criminal Procedure challenging the judgment and order of acquittal dated 28.04.2000 passed by Learned Judicial Magistrate, Sadar, Howrah in Complaint Case No.281C/1994 under Section 406 of the Indian Penal Code.

None appears for the appellant and the respondent.

On 16.09.2021, the Registry was directed to issue Administrative Notice for personal appearance of the complainant/appellant, Kajal Roy and upon the accused/respondent, Prasanta Roy through the Officer-in-Charge, Chinsurah Police Station. The order has been complied with and administrative report filed before the Court which indicates that notice has been served upon Kajol Roy who has informed that Prasanta Roy, the respondent who happened to be the husband to

the appellant died on 28.01.2020 and she is not willing to proceed further with this case.

Perused the compliance report of the Learned Chief Judicial Magistrate, Howrah in respect of service upon Prasanta Roy. Since, the respondent has expired, the instant appeal abates under Section 394(1) of the Code of Criminal Procedure.

Let a copy of this order alongwith Lower Court Records be sent to the Court of the Learned Judicial Magistrate, Sadar, Howrah for information.

(Ananda Kumar Mukherjee, J.)