

19.04.2022

Serial no. 09

Srimanta

Ct. No. 42

CRMSPL/29/2021

In Re : An application for special leave to appeal under Section **378(4)** of the Code of Criminal Procedure, 1973 read with the proviso to Section **372** of the Code of criminal Procedure, 1973.

In the matter of : **Joydeb Kahar**

... petitioner.

This is an application under Section 378(4) of the Code of Criminal Procedure. The application is barred by limitation by 725 days. On the last occasion, the petitioner was directed to file appropriate application under Section 5 of the Limitation Act for condonation of delay. However, the petitioner is not represented today by any Learned Advocate. On the last occasion also none appeared on behalf of the petitioner.

Under such circumstances, I have no other alternative but to reject the application for special leave to appeal on the ground that the application is hopelessly barred by limitation.

CRMSPL 29/2021 is, thus, **disposed of** being barred by limitation.

(Bibek Chaudhuri, J.)