

17.03.2022
S.D.
11.

**C.R.A. 522 of 2008
(Via Video Conference)**

In the matter of: Nicco Uco Financial Services Limited
(Presently known as Nicco Uco Alliance Credit Limited)
.....Appellant.

Mr. Rahul Auddy
Mr. Aditya Gooptu

...For the petitioner.

Mr. Narayan Prasad Agarwal
Mr. Pratick Bose

...For the State.

Learned advocate for the appellant and respondents/State are present. None appears for the respondent nos. 2 to 4.

This appeal has been preferred under Section 378(4) of the Cr.P.C., 1973 against the judgment and order of acquittal dated 5.5.2008 passed by the learned Metropolitan Magistrate, 9th Court, Kolkata in C. Case No. 55 of 1998 under Sections 138/141 of the N.I. Act, acquitting opposite party nos. 2 to 4.

Learned advocate for the appellant submits that the appellant is not inclined to proceed with the appeal and wants to withdraw the same. An email intimation to that effect by Mr. S. S. Majumder, Company Secretary of the appellant dated 16.3.2022 addressed to Mr. Rahul Auddy, learned advocate for the appellant has been placed before this Court. It appears that the appellant company wants to withdraw the appeal. The same is taken on record.

Heard learned advocates for the appellant and respondent/State.

Considered.

The appeal is, therefore, dismissed as withdrawn and same is disposed of.

Interim order, if any, stands vacated.

Let a copy of this order be sent to learned Metropolitan Magistrate, 9th Court, Kolkata for information.

(Ananda Kumar Mukherjee, J.)