

01.04.2022

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CRMSPL 57 of 2019

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

And

In Re : Shibani Nandi

.... the appellant.

Mr. Sudip Kumar

Md. Sayeed Khan

... for the appellant.

Ms. S. Das

... for the State.

In view of the law declared by the Apex Court in **Mallikarjun Kodagali (Dead) represented through Legal Representatives Vs. State of Karnataka & Ors¹**, we are of the opinion that the application for seeking leave to appeal is unnecessary.

CRMSPL 57 of 2019 is dismissed as withdrawn.

Certified copy of the judgment and order of acquittal, if annexed to the application, shall be returned to the applicant/appellant upon replacing the same with a photocopy thereof.

(Bivas Pattanayak, J.)

(Joymalya Bagchi, J.)

¹ (2019) 2 SCC 752.

