

02-03-2023
Subha
Item no.05
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRMSPL No. 05 of 2023
With
CRAN 1 of 2023

BTL EPC Limited
-versus-
M/s. Lonex Envirotech Pvt. Ltd. & Ors.

In Re : An application under Section 378(3) of the Code of Criminal Procedure.

Ms. Jaya Datta
Ms. SwetaSaha

....for the petitioner/applicant.

Affidavit of service so filed be kept with the record.

Learned advocate appearing for the applicant/petitioner submits that there is a delay of about 42 days in preferring the special leave to appeal. The reasons so assigned are found just and proper. Accordingly, the application being CRAN 1 of 2023 is allowed.

The special leave to appeal is against an order of acquittal passed by the learned Metropolitan Magistrate, 10th Court, Calcutta. The learned court was pleased to dismiss the petition of complaint and acquit the accused under Section 256(1) of the Code of Criminal Procedure.

Having regard to the contentions advanced on behalf of the applicant/petitioner, I am of the opinion that the appeal is required to be heard out on merits. Accordingly, the application for special leave to appeal being CRMSPL 5 of 2023 is allowed.

Applicant is granted liberty to file memorandum of Appeal within a period of thirty days.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]