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**21.08.
2023**

CRMSPL 50 of 2023

SREI Equipment Finance Limited
versus
State of West Bengal & Ors.

Mr. Satadru Lahiri,
Mr. Safdar Azam For the petitioner.

This petition is filed with a prayer for special leave to file an appeal assailing the order dated 12th June, 2023, whereby learned Metropolitan Magistrate, 3rd Court, Calcutta acquitted the all three accused under Section 256 (1) of the Code of Criminal Procedure only on the ground of absence of the complainant on that particular date. It is also not intelligible that on the particular date whether the accused were present or not.

Considering the facts and circumstances, the special leave to appeal is allowed.

Thus, leave is granted to the petitioner to file appeal within the statutory period.

Accordingly Special Leave Petition stands disposed of.

(Bibhas Ranjan De, J.)