

24.08.2023

Item No.16

Ct.No.34

dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 3077 of 2023

with

CRAN 1 of 2023

In the matter of : **Smt. Kakali Mandal @ Sefali Mandal**
... Petitioner.

Mr. Aslam Khan,
Mr. S. K. Humayan Reja,
Mr. Sk. Morshed Ali ... For the Petitioner.

Md. Anwar Hossain,
Ms. Manisha Sharma ... For the State.

Learned advocate appearing for the petitioner is directed to serve a copy of this revisional application upon Ms. Manisha Sharma, learned advocate, who ordinarily appears for the State. Her appointment may be regularised by the concerned authorities.

The subject-matter of challenge in this revisional application is the judgement and order dated 23.02.2023 wherein an order of acquittal was passed after the evidence was recorded. The learned trial court on conclusion of trial was pleased to acquit the accused persons under Section 493 of the Indian Penal Code.

In view of the proviso clause to Section 372 of the Code of Criminal Procedure, the present order is an appealable order. As such, the present revisional application is not maintainable. Consequently the revisional application being CRR 3077 of 2023 along with the connected application is dismissed as infructuous.

The petitioner is granted liberty to pray for an appeal before the appropriate forum.

The petitioner is granted liberty to take back the certified copy from the department after the same being replaced by photostat copy.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)