

20.03.2024

11  
cm

CRA 190 of 1991

**In the matter of : Sharat Chopra.**

**.... Appellant.**

Mr. Apalok Basu  
Ms. Debika Banerjee

.... for the appellant.

Ms. Sananda Bhattacharjee  
Mr. Debdutta Dutta

... for the respondent No.1

The learned advocate for the respondent No. 1 submits that the respondent No.2 i.e. Mrs. Wong has expired on 15.08.2015 supported by a copy of the death certificate. Let the copy of the death certificate submitted by the learned advocate for the respondent No. 1 is kept on record.

The appellant and respondent No. 1 are present in Court today. Their personal appearance is noted and dispensed with.

The learned advocate for the appellant submits to have filed fresh vakalatnama in the Department.

The instant appeal arises out of an order of acquittal passed by the learned 5<sup>th</sup> Metropolitan Magistrate, Calcutta under Section 256 of the Code of Criminal Procedure dated 15.05.1991.

The learned advocate for the appellant submits that the issue in question has been amicably settled between the parties and the

present appellant does not want to proceed with the hearing of the instant appeal and wants to withdraw the same. Let the written instruction be kept on record.

Under the facts and circumstances, the instant appeal is dismissed for non-prosecution.

Copy of the order and lower court records be sent to the Department and trial court for due compliance.

**(Ananya Bandyopadhyay, J.)**