

28.02.2024
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CRA 93 of 1987

In the matter of : Mohan Sett
.... appellant.

None appears for the parties.

The report filed by the SI, Bowbazar Police Station dated 01.02.2024 stated that the appellant could not be traced out. Let the said report be kept on record.

The instant appeal has filed against an order and judgment dated 13.12.1986 passed by the learned Metropolitan Magistrate, 12th Court, Calcutta acquitting the accused/opposite party under Section 255(1) of the Code of Criminal Procedure.

Perused the contentions of the petition as well as the impugned order where the learned trial court had justifiably found inconsistencies in the evidence of the prosecution witness regarding the occurrence of the alleged incident.

Since, the dispute between the parties is civil in nature. The learned trial court had rightly acquitted the opposite party and this Court is not inclined to interfere with the same.

Accordingly, instant criminal appeal is dismissed.

Copy of the order along with lower court records be sent to the trial court for information.

(Ananya Bandyopadhyay, J.)

