

13.02.2024

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CRA 115 of 1991

In the matter of : Bibekananda Chakraborty.

.... Appellant.

Mr. A. Jana

Ms. Sudeshna Chanda, Id. *Amicus Curiae*

.... for the appellant.

Ms. Faria Hossain

Mr. Anand Keshari

... for the State

The appellant is present in Court today. His personal appearance is noted and dispensed with.

The instant appeal arises out of an order of acquittal dated 19.01.1990 passed by the learned Judicial Magistrate, 1st Class, 9th Court, Alipore, in Case No. C-1163/1983 (T.R. No. 226 of 1988) under Section 430/504 of the Indian Penal Code.

The learned advocate for the appellant has filed an affidavit stating that his client does not wish to proceed with the instant appeal. An affidavit dated 31.01.2024 submitted before the court to that effect be kept on record.

The instant appeal arises out of an order of acquittal. The matter relates to the year 1991 after expiry of 31 years. The appellant intends to withdraw the appeal arising out of an order of acquittal and the same is allowed.

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 trial court for due compliance.

(Ananya Bandyopadhyay, J.)