

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION
APPELLATE SIDE

CRMSPL 5 of 2024
with
IA No. CRAN 1 of 2024

Rahul Gupta
-versus-
Bunty Bagui

Mr. Apurba Kumar Ghosh
Mr. Rudranil Ghosh
... For the petitioner/appellant/applicant

In re: CRAN 1 of 2024

1. Affidavit of service filed in Court today is taken on record
2. Learned advocate appearing on behalf of the applicant/
petitioner/appellant has prayed for condonation of delay of two days
in filing this special leave petition.
3. The delay explained in the application itself is found satisfactory.
The prayer for condonation of delay is allowed. The delay is condoned.
4. The application, being CRAN 1 of 2024, stands disposed of.

In re: CRMSPL 36 of 2023

5. Learned advocate on behalf of the petitioner/appellant has
drawn my attention to the Special Leave Petition and submitted that
leave is sought for to file appeal against the impugned order dated
10th November, 2023 whereby the learned Metropolitan Magistrate,
18th Court, Calcutta, in connection with CS Case No.51896 of 2016,
acquitted the accused invoking the provision of Section 256(1) of the
Code of Criminal Procedure on account of absence of the

complainant. Learned advocate has further submitted that the advocate-on-record missed the diary and could not file the show cause on the date fixed therefor.

6. Having gone through the order impugned, leave is granted.

7. The petitioner/appellant is at liberty to prefer an appeal within the statutory period.

8. With the aforesaid observation, CRMSPL 5 of 2024 stands disposed of.

9. Criminal Section is directed to supply certified copy of this order, if applied for, upon compliance of necessary formalities.

(Bibhas Ranjan De, J.)