

05.01.2024

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CRA 128 of 1988

In the matter of : Kali Krishna Chakraborty.

.... Appellant.

Mr. Kuntal Roy
Mr. Goutam Acharya

.... for appellant.

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

Mr. Goutam Acharya, learned advocate files fresh vakalatnama on behalf of the appellant in Court today. Let the same be kept on record.

The instant appeal has been preferred against judgment and order dated 29.12.1987 passed by the Judicial Magistrate, 3rd Court, Alipore, in Case No. C-1421 of 1982 (T.R. No. 415 of 1982) acquitting the accused/opposite party of the offence under Section 498 of the Indian Penal Code.

The learned advocate for the appellant has filed a copy of the written instruction that his client does not wish to proceed with the instant appeal. A written instruction dated 05.01.2024 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 1988 after expiry of 35 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.)