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CRMSPL 18 of 2024

South Sunderban Jana Kalyan Sangha
Vs.
The State of West Bengal & Anr.

Mr. Satadru Lahiri,
Mr. Safdar Azam,
Mr. Syed Wasim Faruque ... for the appellant.

1. This petition has been filed with prayer for grating leave to file appeal against the judgment and order of acquittal dated 29.12.2023 passed by the learned Additional Chief Judicial Magistrate, Kakdwip, South 24 Parganas in connection with C.R. 44 of 2012 under Section 138 of the Negotiable Instruments Act thereby accused was acquitted under Section 255(1) of the Code of Criminal Procedure.
2. Mr. Satadru Lahiri, learned counsel appearing on behalf of the appellant/petitioner has submitted that learned Judge raised the issue of authorization whereby the complaint lodged the complaint before the Court and also did not rely on the service of notice though the accused appeared on receipt of summons from the court.
3. Mr. Lahiri, learned counsel appearing on behalf of the petitioner/appellant has submitted that grounds nosed around by the Trial Judge are not at all sustainable in law.
4. Having heard learned counsel appearing on behalf of the appellant and also perused the judgment impugned.
5. Leave is granted to the appellant to file appeal within the

statutory period.

6. Accordingly, **CRMSPL 18 of 2024** stands disposed of.

(Bibhas Ranjan De, J.)