

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION
APPELLATE SIDE

CRMSPL 19 of 2024
with
IA No. CRAN 1 of 2024

Cygnus Investments & Finance Private Limited
-versus-
Shampa Sadhya & Anr.

Mr. Anand Keshari
Ms. Sutapa Ghosh (Bose)
... For the petitioner/appellant/applicant

In re: CRAN 1 of 2024

1. Affidavit of service filed in Court today is taken on record.
2. This is an application for condonation of delay of 43 days in filing the special leave to appeal petition.
3. Learned advocate appearing on behalf of the applicant/petitioner/appellant has submitted that the learned advocate appearing on behalf of the petitioner before the learned Trial Court did not inform the petitioner regarding the decision of the Court and next steps to be taken thereafter.
4. The delay explained in the application itself is found satisfactory. The prayer for condonation of delay is allowed. The delay is condoned.
5. The application, being CRAN 1 of 2024, stands disposed of.

In re: CRMSPL 19 of 2024

6. This special leave to file appeal has been filed assailing the order dated 4th November, 2023 passed in connection with Complaint Case

No.21168 of 2012 under Section 138 of the Negotiable Instruments Act whereby the learned Metropolitan Magistrate, 7th Court, Calcutta dismissed the case invoking Section 256 of the Code of Criminal Procedure for non-representation of the petitioner/appellant.

7. Having heard the learned advocate appearing on behalf of the petitioner/appellant on the ground of appeal and also having gone through the judgment impugned, leave is granted.

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

9. With the aforesaid observation, CRMSPL 19 of 2024 stands disposed of.

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

(Bibhas Ranjan De, J.)