

D/L16
27.06.2024
Bpg.

CRMSPL 24 of 2024
With
CRAN 1 of 2024

Ajit Sutradhar @ Ajit Kumar Sutradhar
Versus
State of West Bengal and others

Ms. Aiswarjya Gupta
Ms. Priyanka Saha
Ms. Maitrayee Chatterjee.
...for the petitioner.

Mr. Rudradipta Nandy
Mr. Arani Bhattacharyya.
...for the State.

Mr. Arvind Kumar Singh
Mr. Srinjay Das.
...for the opposite party nos.2 and 3.

An application has been filed under Section 5 of the Limitation Act in respect of a Special Leave to Appeal under Section 378(4) of the Code of Criminal Procedure. In the cause title it reflects that the grievance of the petitioner is in respect of an order of acquittal of Purulia (T) Police Station Case No.123 of 2009 dated 24.10.2009. As the subject matter of the litigation refers to a police case and if an order of acquittal is subject matter of grievance, an appeal will lie under Section 372 of the Code of Criminal Procedure.

Having considered that the order of acquittal was passed by the learned Judicial Magistrate, 2nd Court, Purulia, I am of the opinion that an appeal under Section 372 of the Code of Criminal Procedure should be preferred before the learned District and Sessions Judge, Purulia.

The appellant/applicant is granted liberty to prefer the appeal before the appropriate forum. In case there is a delay, the period of pendency before this Court should be considered by the learned Sessions Judge at the time of admission of the appeal.

Consequently, the application being CRAN 1 of 2024 and CRMSPL 24 of 2024 is dismissed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)