

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION
APPELLATE SIDE

CRMSPL 27 of 2024

Sidhant Udyog Private Limited
-versus-
Modern Infra Projects India Limited & Anr.

Mr. Sudipto Maitra, Sr. Advocate
Mr. B.L. Joshi
Mr. Vijay Verma
Mr. Dwaipayan Biswas
... For the petitioner/appellant

1. This special leave to appeal under Section 378(3) of the Code of Criminal Procedure has been filed assailing the judgment dated 22nd February, 2024 passed by the learned Metropolitan Magistrate, 14th Court, Calcutta in connection with C. Case No.9514 of 2014 under Sections 138/141 of the Negotiable Instruments Act, 1881 whereby the learned Magistrate found the respondent not guilty for committing offence under Section 138 of the Negotiable Instruments Act and acquitted it.

2. Learned Senior Advocate appearing on behalf of the petitioner/appellant has submitted that the learned Magistrate acquitted the accused company only on the ground of liquidation of the company issuing impugned cheque in favour of the complainant company.

3. Having heard the learned Senior Advocate appearing on behalf of the petitioner/appellant and also having gone through the judgment impugned, leave is granted.

4. The petitioner/appellant is at liberty to prefer an appeal within the statutory period.
5. With the aforesaid observation, CRMSPL 27 of 2024 stands disposed of.
6. Criminal Section is directed to supply certified copy of this order, if applied for, upon compliance of necessary formalities.

(Bibhas Ranjan De, J.)