

09.05.2024
Court No.237
Item. 26
(Srimanta)

CRMSPL/31/2024

In Re: An application for Special Leave to Appeal under Section 378(4) of the Code of Criminal Procedure, 1973
And

In the matter of: **Kalachand Sikdar**

...Appellant.

Mrs. Manaswita Mukherjee,
Mr. Surojit Saha

...for the Appellant.

Mr. Arvind Kumar Singh,
Mr. Srinjoy Das

...for the opposite party nos. 2 & 3.

1. This petition for special leave to appeal has been filed assailing the judgment and order of acquittal passed in Criminal Complaint Case being No. 511/2016 by the learned Judicial Magistrate, Barrackpore on 17.02.2024.
2. Learned Counsel appearing on behalf of the petitioner submits that the learned Judge erred in coming to conclusion ignoring the rule of presumption prescribed under Section 139 of the Negotiable Instruments Act.
3. Perused the judgment. Leave is granted. Petitioner is being given liberty to file appeal within the statutory period of 60 days.
4. With the aforesaid observation, CRMSPL/31/2024 is disposed of.

(Bibhas Ranjan De, J.)