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CRA 290 of 2002

In the matter of : Sabita Dutta.

.... Appellant.

Mr. Mrinal Das
Mr. Swadhin Pan

.... for appellant.

The appellant is present in Court today. Her personal appearance is noted and dispensed with.

The instant appeal arises out of an order of acquittal dated 12.06.2002 passed by the learned Judicial Magistrate, 1st Class, 10th Court, Alipore, in Case No. C/1375/1993 (T.R. 269 of 1993) under Section 323 of the Indian Penal Code.

The learned advocate for the appellant has filed a copy of the written instruction that the respondent i.e. Jagan Nath Dutta has expired on 23rd January, 2009 and his client does not wish to proceed with the instant appeal. A written instruction dated 09.01.2024 submitted before the court to that effect be kept on record.

The instant appeal arises out of an order of acquittal. The matter relates to the year 2002 after expiry of 22 years. The appellant intends to withdraw the appeal arising out of an order of acquittal and the same is allowed.

Under the facts and circumstances, the instant appeal is dismissed for non-prosecution.

Copy of the order and lower court records be sent to the trial court for due compliance.

(Ananya Bandyopadhyay, J.)