

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION
APPELLATE SIDE

CRMSPL 63 of 2023
with
IA No. CRAN 1 of 2023

M/S Singhania Tea Company Private Limited
-versus-
The State of West Bengal & Anr.

Mr. A. Agarwalla
Mr. B.N. Joshi
Ms. Priyanka Garain
... For the appellant/applicant

Mr. Narayan Prasad Agarwala
Mr. Pratick Bose
... For the State

Mr. Ayan Bhattacharjee
Mr. Amitabrata Hait
Mr. Suman Majumder
... For the opposite party no.2

In re: CRAN 1 of 2023

1. Learned advocate on behalf of the applicant/appellant is present. Learned advocates on behalf of the State and the opposite party no.2 are also present.
2. From the record, it appears that the special leave to appeal has been filed along with the instant application under Section 5 of the Limitation Act for explaining the delay in filing special leave petition to appeal. The reason of delay has been explained in the application itself.
3. Learned advocate on behalf of the opposite party no.2 raises formal objection.

4. Learned advocate on behalf of the State is also raises formal objection.

5. Considering the explanation assigned in the application itself, I do not find any reason to disallow the prayer. The prayer for condonation of delay is allowed. The delay is condoned.

6. The application, being CRAN 1 of 2023, stands disposed of.

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7. The special leave petition is filed with a prayer for filing appeal against the order of acquittal passed by the learned Additional District and Sessions Judge, Fast Track 1st Court, Bichar Bhawan, Calcutta in connection with Criminal Appeal No.256 of 2019 on 20th July, 2022 whereby opposite party no.2 was acquitted from the charges for the offence punishable under Section 138 of the Negotiable Instruments Act.

8. I have carefully perused the judgment passed by the learned Additional District and Sessions Judge, Fast Track 1st Court, Bichar Bhawan, Calcutta and leave is granted to prefer an appeal within the statutory period.

9. With the aforesaid observation, CRMSPL 63 of 2023 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.)