

27.02.2024
Serial no. 5
[G.S.D]

CRR 3951 of 2023

In the matter of : ATO(I) Ltd.

... .. Petitioner

Ms. Devi Priya Mitra

... for the petitioner

The accused person is acquitted of the charges under section 256 of the cr.p.c. as the complainant was not present.

Ld. Advocate submits that the complainant is a company and the person representing the company left service, as such, the case was dismissed without the knowledge of the company.

Be that as it may, since the effect of an order under section 256 of the cr.p.c. is acquittal, the petitioner should prefer an application under section 378(4) of the cr.p.c.

With the aforesaid observations, CRR 3951 of 2023 is dismissed as not pressed.

Petitioner is granted liberty to take back the certified copy from the department through the Id. Advocate on record on the same being replaced by a Photostat copy.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)

