

IN THE HIGH COURT AT CALCUTTA
CRIMINAL APPELLATE JURISDICTION
APPELLATE SIDE

CRMSPL 72 of 2023
with
IA No. CRAN 1 of 2023

Jalan Brothers Private Limited
-versus-
Khopde Sumitra Ramdas @ Sumitra Ramdas Khopde

Mr. Arnab Das
Ms Akansha Yadav
Ms. Syeda Romana Sultan
... For the applicant/petitioner/appellant

In re: CRAN 1 of 2023

1. Affidavit of service is filed in Court today showing service of notice upon the opposite party.
2. In spite of service, none appears on behalf of the opposite party.
3. Learned advocate appearing on behalf of the applicant/petitioner /appellant submitted that there is delay of 171 days in filing the Special Leave Petition and the reason of delay has been explained in the instant application itself.
4. I have gone through the explanations depicted in paragraphs 4, 5, 6 and 7 and found the same satisfactory.
5. Given facts and circumstances, the delay is condoned.
7. The application, being CRAN 1 of 2023, stands disposed of.

In re: CRMSPL 72 of 2023

8. The special leave petition is filed with a prayer for filing appeal against the judgment and order dated 3rd May, 2023 passed by the

learned Metropolitan Magistrate, 18th Court, Kolkata in connection with CS No.100741 of 2016 dismissing the complaint under Section 138 of the Negotiable Instruments Act for non-appearance of the complainant/petitioner.

9. Having heard the learned advocate appearing on behalf of the petitioner/appellant on the ground of appeal and also having gone through the judgment impugned, leave is granted.

10. The petitioner/appellant is at liberty to prefer an appeal within the statutory period.

11. With the aforesaid observation, CRMSPL 72 of 2023 stands disposed of.

12. All parties shall act on the basis of a server copy of this order duly downloaded from the official website of this Court.

13. Criminal Section is directed to supply certified copy of this order, if applied for, upon compliance of necessary formalities.

(Bibhas Ranjan De, J.)