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CRMSPL 1 of 2023
IA NO: CRAN 1 of 2023

Narayan Prasad Lohia
versus
The State of West Bengal & Anr.

Mr. Reshab Kumar
Mr. Tanmoy Das. for the appellant.

CRAN 1 of 2023

1. Affidavit of service is filed and the same be taken on record.
2. From the track report, it is found that notice was served upon the opposite parties.
3. None appears on behalf of the opposite parties.
4. Learned counsel appearing on behalf of the appellant has submitted that delay was caused as he came to know about the result of the case being G.R. Case No. 997 of 2012 for the first time on 11th October, 2022 while respondents filed Questionnaires in a Arbitration Proceeding. That apart, he submitted that due to Covid Pandemic Hon'ble Apex Court excluded the period of limitation from 15.03.2020 to 28.02.2022.
5. However, the delay explained in the petition is found satisfactory. The delay is condoned.
6. Accordingly CRAN 1 of 2023 stands disposed of.

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7. The instant petition has been filed with a prayer for leave to file appeal against the judgment and order of acquittal passed in G.R. Case No. 997 of 2012. It was submitted that learned

Judicial Magistrate, 1st Court, acquitted the accused for no-examination of any of the witnesses by the prosecution.

8. It is submitted on behalf of the appellant that appellant never received any summons from the Court to depose in the case.
9. Given facts and circumstances, leave is granted to the appellant to file appeal within the statutory period.
10. Accordingly Special Leave Petition stands disposed of.

(Bibhas Ranjan De, J.)

