HIGH COURT OF TRIPURA
AGARTALA

Crl. L.P. No.18 of 2024
In Crl.A. No.29 of 2024

Shri Asish Debnath

---Petitioner(s)

Versus

Smt. Nabasree Banik Debnath and Anr.

----Respondent(s)

For Petitioner(s)	:	Ms. Ayantika Chakraborty, Adv.
For Respondent(s)	:	Mr. Dhiman Gope, Adv. Mr. Rajib Saha, Addl. P.P.

HON'BLE MR. JUSTICE BISWAJIT PALIT

Order

12/02/2025

Learned Counsel Ms. A. Chakraborty is present for the appellant-petitioner.

Mr. Dhiman Gope, Learned counsel appears for the respondent No.1 and Mr. Rajib Saha, Learned counsel appears for the respondent No.2, i.e. State.

The appellant-petitioner has preferred an appeal challenging the judgment and order of acquittal dated 27.08.2024 passed by Learned CJM, Gomati, Tripura in connection with CR(NI) No.21 of 2020 and along with memo of appeal, another application under Section 378(3) of Cr.P.C. for granting special leave to appeal is filed.

Heard Learned counsel for the petitioner.

According to the petitioner before the Learned Trial Court the appellant-complainant adduced witnesses, but the Learned Court below has failed to appreciate the evidence on record and came to an erroneous finding that Section 138 of NI Act was not made out and acquitted the respondent from the charge of the case. It is further submitted that the appellant-petitioner has got a *prima facie* case and there is merit in the appeal. So Learned counsel prayed for granting special leave to appeal.

Learned counsel for the private-respondent fairly submitted that the appeal may be admitted for hearing. So considering all the application for granting special leave to appeal under Section 378(3) of Cr.P.C. is hereby allowed.

Thus, this petition for granting special leave to appeal is disposed of.

JUDGE

HIGH COURT OF TRIPURA
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