

CRA 192 of 2011

In the matter of : **Alok Kumar Ghosh**

....Appellant

1. Nobody appears either on behalf of the appellant or on behalf of the accused/respondent.
2. The instant appeal is preferred at the behest of the appellant/complainant challenging the impugned judgment and order of acquittal passed by the learned Trial Court in connection with C. Case No. 2538/2001 (T.R. No. 697/2001) wherein the accused/respondent is found not guilty for commission of offence as alleged in the complaint.
3. Being aggrieved and dissatisfied with the said impugned order of acquittal the present appeal is preferred on behalf of the appellant. During pendency of this appeal a report is called for through the learned Registrar Administration (L & OM) regarding effect of service upon the parties.
4. In pursuance of the said direction a report was submitted by the learned Registrar Administration (L & OM) dated 16.04.2025 indicating that during pendency of this appeal the sole appellant/complainant Alok Kumar Ghosh was expired one year ago but the family members of the said deceased have refused to provide the death certificate or any other document in respect of the death of the said appellant/complainant.
5. It further appears that the administrative notice was duly served upon the accused/respondent but he also did not appear before this Court.

6. Anyway, as the sole appellant/complainant has been expired during pendency of this appeal the instant appeal should be decided/disposed of merit.
7. I have gone through the impugned judgment and order passed by the learned Trial Court and I find nothing material to interfere with the said impugned judgment.
8. Accordingly, the instant appeal be and the same is dismissed on merit affirming the impugned judgment and order passed by the learned Trial Court in connection with C. Case No. 2538/2001 (T.R. No. 697/2001) dated 17.11.2009.
9. All the reports submitted before this Court is taken on record.
10. Thus, the instant appeal being CRA No. 192 of 2011 is disposed of.
11. Let a copy of this order along with the Trial Court Records be sent down to the Trial Court immediately.
12. Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Prasenjit Biswas, J.)