

IN THE HIGH COURT AT CALCUTTA
Criminal Appellate Jurisdiction
Appellate Side
CRA 314 of 2002

In the Matter of: **Ashoka Chatterjee**
.... appellant

Mr. Tanmoy Bhattacharyya,
Mrs. Mithu Mallick (Bhattacharyya)
Mr. Somnath Das

... for the Appellant

Mr. Sanjib Seth

... for the Respondent no. 2

1. Appellant is represented by the learned Advocate.
2. Learned Advocate for the respondent No.2 is also present.
3. In pursuance of the direction passed by this Court a report is submitted by the SI of Police, Shibpur Police Station, Howrah Police Commissionerate, indicating that the direction of this Court has been duly communicated to the appellant and the respondent no. 2.
4. This instant appeal is preferred at the behest of the appellant/complainant challenging the impugned judgement and order of acquittal passed by the learned Chief Judicial Magistrate, 3rd Court, Howrah, in connection with case no. 1137(C) of 2002 (T.R. No. 172/2000). During course of hearing it is submitted by the learned Advocate for the appellant/complainant that the appellant does not intend to proceed further with the present appeal.
5. A written instruction is received from the said appellant/complainant and the same is filed before the Court. Let it be taken on record.
6. I perused the impugned judgement passed by the Trial Court and find nothing to interfere with it.
7. The instant appeal be and the same is dismissed on merit.

8. The impugned judgement and order for acquittal passed by the learned Trial Court, passed in connection with case no. 1137(C) of 2002 (T.R. No. 172/ 2000) is hereby affirmed.
9. Thus, CRA 314 of 2002 is hereby disposed of.
10. Let a copy of this order alongwith Trial Court Record be sent down to the learned Trial Court immediately.
11. Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Prasenjit Biswas, J.)