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06.01.2025
GSD

**Calcutta High Court
In The Circuit Bench at Jalpaiguri
Appellate Side**

CRMSPL 1 of 2025

In the matter of: **Minu Harijan (Basfore)**

.... Petitioner(s)

Mr. Abhishek Sarkar

... for the petitioner(s)

The present Special Leave to Appeal has been preferred against the Judgment and Order dated 25.07.2024 passed by the Additional District & Sessions Judge, Fast Track Court, Cooch Behar in connection with Sessions Case No. 76 of 2015 corresponding to Sessions Trial Case No. 02(03) of 2016, wherein, the learned Trial Court was pleased to acquit the accused persons from the charges punishable under Sections 498(A)/313 of the IPC.

I find from the records of the case that the case has its genesis in Kotwali P.S. Case No. 483 of 2014.

Having considered that proviso to Section 413 has been incorporated under the provisions of the BNSS, I am of the opinion that no leave is required to

prefer an appeal against an order of acquittal in police cases.

Accordingly, CRMSPL 1 of 2025 is **dismissed**.

The certified copy be returned to the learned advocate appearing for the applicant/petitioner on the same being replaced by a Photostat copy.

The applicant/petitioner would be at liberty to prefer an appeal with the provisions of Section 413 of the BNSS.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)