

Party Name : DEBABRATA SARKAR Vs MRINMOY DAS & ANR

THE HONBLE MR JUSTICE U. B. SAHA

The instant application is filed by the petitioner for granting Special Leave to appeal against the judgment dated 28.01.2016 in case no. CR (NI) 04 of 2015 passed by the learned Chief Judicial Magistrate, Gomati District, Udaipur wherein the respondent no. 1 was acquitted from the charge under Section 138 of the NI Act.

Heard learned counsel appearing for the parties.

Mr. R. Paul, learned counsel appearing for the petitioner submits that for preferring appeal against the order of acquittal, leave has to be sought for and accordingly the petitioner has filed the leave application as required under Section 378(4) of the Cr.P.C.

Mr. DK Das Choudhury, learned counsel appearing for respondent no.1 submits that he has no objection to the prayer for leave.

In view of the above, the leave is granted for preferring appeal, as sought for. Accordingly, the criminal leave petition is disposed of.

JUDGE