

13.09.2021
item No.20
n.b.
ct. no. 34

CRR 386 of 2012

(via video conference)

Sri Shyamal Kanti Das
-Vs-
Sri Rajesh Bose

Mr. Krishnendu Bhattacharya..... for the petitioner.

Mr. Bidyut Kr. Ray,
Ms. Manisha Sharma... ... for the State.

The revisional application was preferred for quashing the proceedings arising out of C.R No.929 of 2011 pending before the learned Judicial Magistrate, 4th Court, Paschim Medinipore under Section 138 of the Negotiable Instrument Act.

Order dated 11.11.2011 passed by the learned Magistrate reflects that the demand notice was issued after 40 days that is beyond the time limit prescribed under the statute and as such the learned court proceeded to dismiss the complaint under section 203 of the Code of Criminal Procedure.

Having regard to the reasons assigned by the learned Magistrate I am of the view, that the same is on foundation of facts and law as has been brought to the notice of the court, the same requires no interference.

Thus, CRR 386 of 2012 is dismissed.

Interim order, if any, is hereby vacated.

All pending connected applications, if any, are consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this court.

(Tirthankar Ghosh, J.)