

25.08.2021
Item no.14
Ct. No.34
CHC

C.R.R. No.986 of 2012

(Via Video Conference)

In Re: An application under Section 482 of the Code of Criminal Procedure 1973.

AND

In the matter of:-

Balai Bhattacharjee
... petitioner

The revisional application was preferred challenging the proceedings being Case No. C-399 of 2007 under Section 138 of the Negotiable Instruments Act, which was pending before learned Metropolitan Magistrate, 12th Court, Calcutta.

Records reflect that initially the revisional application was dismissed for default and subsequently, the same was restored on 04.09.2012 with a direction that the matter would appear on 3rd of December, 2012 as the main revisional application.

Having regard to the fact that the petitioner has not been able to overcome the stage of admission of the revisional application, I am of the view that the opposite party no.1 would be prejudiced in case, at this belated stage this Court decides to interfere. However, the petitioner will be at liberty to take up the points canvassed in the revisional application at the stage of final

argument before the learned Magistrate provided that the complaint case is still pending.

With the aforesaid observations the criminal revision being C.R.R.986 of 2012 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)