

D/L 34.
September
6, 2021
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C.R.R. No.1362 of 2012
(Via Video Conference)

In Re: An application under Sections 397/401 read with Section 482 of
the Code of Criminal Procedure, 1973.

Tanmoy Roy
Versus
Prabir Banerjee

The present revisional application was preferred against the order dated 16.03.2012 passed by the learned Additional Judicial Magistrate, Arambagh in connection with the Complaint Case No.120 of 2007 under Section 500 of the Indian Penal Code.

The grievance of the petitioner is refusal of the learned Magistrate for allowing the petitioner to adduce defence evidence.

I have perused the order dated 16.03.2012 wherefrom it reflects that the learned court fixed 13th March, 2012, 14th March, 2012 and 16th March, 2012 for adducing the defence evidence. The defence having refused the same, the learned court was pleased to proceed with the argument of the case. The impugned order also reflects that by an application on 16.05.2011, the learned advocate appearing for the petitioner filed an application expressing his intention that he did not intend to tender any defence witness.

Having regard to the reasons, which weighed with the court for passing the order dated 16.03.2012, I am of the view that there is no illegality in the said order.

Accordingly, CRR 1362 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

Interim order, if any, is hereby vacated.

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

(Tirthankar Ghosh, J.)