

16.
21-12-2021
(ct. no.29)
debajyoti

CRR 1671 of 2011

In re: An application under Section 401 read with Section 482 of the Code of Criminal Procedure.

- A n d -

In the matter of : Sri Ashok Kumar Gupta

.... Petitioner.

Mr. Binoy Kumar Panda,
Mr. Pravas Bhattacharya

... For the State.

Mr. Binoy Kumar Panda, learned advocate, and Mr. Pravas Bhattacharya, learned advocate, who usually appear on behalf of the State, are present in Court. They are requested to appear on behalf of the State in this matter.

Their appointment may be regularized by the concerned authority.

Learned lawyer on behalf of the State appears and submits that the petitioner did not comply with the direction of this Court passed in order dated 21-09-2011 by filing any Affidavit-of-Service. It is further submitted that no steps have been taken since 2011 for hearing of this matter.

After careful perusal of the impugned judgment of learned Additional Chief Metropolitan Magistrate, Calcutta dated 06-04-2010 in Complaint Case No.1049 of 2006 which was affirmed by learned Additional District and Sessions Judge, Fast Track 4th Court, Bichar Bhawan, Kolkata by his judgment dated 24-03-2011, I find that the learned Additional Chief Metropolitan Magistrate discussed all the evidence and documents on record and came to his finding that that accused was found guilty under Section 138 of the Negotiable Instruments Act and sentenced him to pay fine of Rs.5,96,709/-, in default, to suffer Simple Imprisonment for one year. This order was further affirmed by the learned

Additional District and Sessions Judge in Criminal Revision No.157 of 2010. I do not find any illegality or irregularity to interfere. Thus, the instant revisional application is considered and dismissed.

Let a copy of this order be communicated to learned Additional Chief Metropolitan Magistrate, Calcutta, through the learned Registrar, Judicial Service, of this Court.

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

Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Bibhas Ranjan De, J.)