

22.06.2021
Item no.40
Ct. No.34
CHC

C.R.R. No.2109 of 2002
(Through video Conference)

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

AND

In the matter of:-

Brojo Gopal Kundu

... petitioner

Mr. Debasish Roy

...for the petitioner

The revisional application relates to Case No. C-2-1/2002 which was pending before the learned Judicial Magistrate, 3rd Court, Sealdah, under Section 138 of the Negotiable Instruments Act.

Records reflect that on 29.08.2002 there was an interim order for a period of four weeks. The said interim order was never extended.

Mr. Roy, learned advocate appearing on behalf of the petitioner submits that there were twin prayer, one was for quashing the proceedings and other in respect of the petitioner's prayer under Section 205 of the Code of Criminal procedure being rejected.

This Court is not apprised regarding the present stage of the proceeding and whether the same is still surviving before the

learned Magistrate. In case, the complaint case is still surviving and the petitioner insist on exempting his personal appearing from day to day proceeding from the court, the learned Magistrate after accepting proper undertaking from the petitioner will allow him to be represented through his learned lawyer.

So far as the merits of the case is concerned, the learned Magistrate is directed to dispose of the same in accordance with law, if the same is still pending.

With the aforesaid observations, C.R.R.2109 of 2002 is disposed of.

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

(Tirthankar Ghosh, J.)