

Sr.70
10-09-2021
Subha.
Court no. 34

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE
(Via Video Conference)**

CRR 2123 of 2012

In the matter of : Mahadeb Daskhanpetitioner.

In Re : An application under Section 482 Cr.P.C read with Article 227 of the Constitution of India.

The revisional application was preferred challenging the proceedings under Section 138 of the N. I. Act pending before the learned Judicial Magistrate(1st Class), 7th Court, Alipore.

The main thrust of the contention of the petitioner was that 50 per cent of the amount of the cheque was earlier paid and as such, the proceedings before the learned Magistrate is not maintainable. Such contention is completely a question of fact which is to be decided in course of the trial by producing appropriate documents in respect of the contentions advanced.

As such, no interference is called for by this court at this belated stage.

Accordingly, the present revisional application being CRR 2123 of 2012 is dismissed.

All pending applications, if any, in connection with revisional application, are consequently disposed of.

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

(Tirthankar Ghosh, J.)