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C.R.R. No.3000 of 2012
(Via Video Conference)

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

Arunendu Sarkar & Ors.
Versus
State of West Bengal & Anr.

The revisional application was preferred against the order dated June 28, 2012 passed by the learned Additional Chief Metropolitan Magistrate, Kolkata in Complaint Case No.C659 of 2010 under Section 138 of the Negotiable Instruments Act.

The order dated June 28, 2012 reflects that the learned Magistrate was pleased to dismiss for default the application under Section 205 of the Code of Criminal Procedure and issued warrant of arrest against the petitioners and an order of attachment against the accused company.

By an order dated 29.08.2012, a co-ordinate Bench of this Court was pleased to pass the following order:

“Issue notice to the opposite parties returnable for 23rd November, 2012. Meanwhile, petitioner may appear before the trial court on the next date of hearing i.e., 7th September, 2012. On appearance of the petitioners, warrant of arrest shall be kept in abeyance till the next date of hearing and the petitioners shall be released on interim bail.”

Having regard to the fact that the petitioners' prayer for relief was granted by way of an interim order dated 29.08.2012, I am of the view that no interference is called for regarding rest of the grievance of the petitioners at this stage.

Accordingly, CRR 3000 of 2012 is disposed of.

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.)