

CRR 3411 of 2012
(Via video conference)

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

In the matter of : Mr. Jayprakash Berlia @ A. Berlia
.....petitioner

The revisional application was preferred against the order dated 20th July, 2012 passed by the learned Metropolitan Magistrate, 5th Court at Kolkata in complaint case no. C/80/2010 under Section 138 of the Negotiable Instrument Act.

The order under challenge reflects that the learned Magistrate was pleased to allow an application under Section 311 of the Code of Criminal procedure thereby recalling the prosecution witness No. 1 for further evidence.

I find that the revisional application appeared on 3.10.2012 and 26.2.2013. On both the occasions, the learned advocate for the petitioner prayed for adjournment. Today when the matter has been taken up, no information has been furnished regarding the present stage of the proceedings before the learned Magistrate. Further, records of the revisional application reflects that there was no interim order in respect of the proceedings pending before the learned Magistrate.

Having regard to the same. I am of the view that no interference is called for at this belated stage.

Accordingly, CRR 3411 of 2012 is dismissed.

Pending application, if any, is consequently disposed of.

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

(Tirthankar Ghosh, J.)