

D/L9
29.11.2022
Bpg.

C.R.R.122 of 2021

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

Pankaj Saraf and another
Versus
State of West Bengal and another

Records reflect that the revisional application is pending since January, 2021. In fact, the order dated 27.01.2021 passed by the co-ordinate Bench do reflect that none represented the petitioners. Today also when the matter is called on, none is represented on behalf of the petitioners.

The subject matter of the case relates to the proceedings under Section 138 of the Negotiable Instruments Act being challenged before this Court. The foundation of such challenge relates to certain documents inter se payments being made and the plea that no legally enforceable debt existed.

On perusal of the documents which have been relied upon, I am of the opinion that this Court at this stage is not empowered to assess such documents which are exclusively domain of the learned trial court. Accordingly, no interference is called for in respect of the proceedings being Complaint Case No.C/145 of 2020.

Thus, CRR 122 of 2021 is disposed of with the direction that the petitioners would take up the points at the appropriate stage before the learned trial court.

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.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)