

02.08.2022
Item No. 6
Ct. No.40
d.g.

CRR 318 of 2011

Subrata Saha
vs.
Shiv Shakti Agro (India) Ltd.

Ms. Devipriya Mitra.

... for the petitioner

Ms. Aiswariya Gupta,
Mr. Komal Singh.

... for the respondent

The instant application is filed under Section 482 read with Section 401 of the Code of Criminal Procedure praying for setting aside the impugned judgment and order dated 30th December, 2010 in Case No. C/8718 of 2005 passed by the Metropolitan Magistrate, 10th Court, Calcutta under Section 138 of the Negotiable Instruments Act.

Heard both the parties.

When there is a specific provision of appeal in the Code of Criminal Procedure, provision under Section 481 read with Section 401 cannot be invoked to circumvent the statutory provisions.

The instant revisional application is not maintainable and dismissed on merit, with liberty to file an appeal in accordance with law.

The original certified copies be returned on furnishing the authenticated copy of such certified copy.

LCR be returned.

(Sugato Majumdar, J.)