

12.12.2022
Item No. 19
BR

CRR 233 of 2005

In the matter of : Smt. Asha Das & Ors.

Mr. Sujan Chatterjee

.... For the petitioner

Mr. Chandra Sekhar Banerjee

.... For the O.P. /complainant

This criminal revision assails the judgment passed by learned 5th Fast Track Court, Alipore , 24 Parganas (South) in Criminal Appeal No. 47 of 2003 thereby affirming the judgment and order passed by learned Judicial Magistrate, 3rd Court, Sealdah in Complaint case No. C-211 of 2002/T.R. NO. 116 of 2002 under Sections 323/506 of the Indian Penal Code. Learned trial Court was pleased to record an order of conviction against the petitioners for committing offence within the meaning of Section 323 and 506 of the Indian Penal Code and sentenced them to pay fine of Rs. 300/- for committing offence under Section 323 of the Indian Penal Code with default clause and pay fine of Rs. 200 for offence under Section 506 of the Indian Penal Code. The learned appellate Court in criminal appeal No. 47 of 2003 did not find any reason to interfere with the judgment passed by learned trial Court . Mr. Chatterjee learned counsel representing the petitioners submits that allegation levelled against the petitioners was that they intimidated the complainant with dire consequences if the Complaint case No. 117 of 2002 was not withdrawn. Eventually, the said case was ended up with an order of acquittal. Therefore, the allegation as

levelled against the petitioners can be presumed to be baseless. Mr. Chandra Sekhar Banerjee representing the opposite parties draws my attention to the order passed in C-117 of 2002 which was passed on 20th February, 2003 after the incident took place . I have perused the impugned judgment and I do not find any reason to interfere with the concurrent findings of learned Courts below .

The criminal revision is, thus, disposed of.

Liberty is given to the petitioners to deposit the fine with the learned trial Court within four weeks from date.

A copy of the judgment be sent down to the learned trial Court for information and necessary action.

Urgent certified copy if applied for therefore be made available upon compliance of requisite formalities.

(Siddhartha Roy Chowdhury, J.)