

26.04. 2022
item No.26,
27, 28
n.b.
ct. no. 34

CRR 127 of 2014
With
CRR 128 of 2014
With
CRR 129 of 2014

Gaurav Mahindra Doshi & Ors.
Vs.
State of West Bengal & Ors.

The revisisonal applications have been preferred against the continuation of the proceedings being complaint Case nos.C-22804 of 2012, C-22805 of 2012, C-22806 of 2012 pending before the learned Metropolitan Magistrate, 14th Court, Calcutta under Sections138/141 of the Negotiable Instruments Act.

The petitioners challenged the continuation of the proceedings on the ground that the allegations made in the petition of complaint fails to make out any case as some of the petitioners happen to be non-Executive Directors while some of the petitioners resigned/retired prior to the alleged offence being committed. So far as the locus of the petitioners are concerned. Only Photostat copies of documents have been enclosed which cannot be relied upon at this stage and the petitioners would be entitled to produce the original certified copies before the jurisdictional Court at the appropriate stage for seeking relief.

On an appreciation of the materials available in the petition complaint, I am of the opinion that a bare reading of the

petition of complaint makes out a case for continuance of the prosecution.

Accordingly, CRR 127 of 2014, CRR 128 of 2014, CRR 129 of 2014 are dismissed.

All pending connected applications, if any, are 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.)