

16-12-2022
Subha
Item no.10
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 554 of 2021

Sanjoy Biswas, proprietor of M/s. Sneha Sharee, Aranghata
-versus-
The State of West Bengal & Anr.

Re : An application under Section 482 of the Cr.P.C.

Mr. Subrata Bhattacharya
.....for the petitioner.

Mr. Bhattacharya, learned advocate appearing for the petitioner submits that he has complied with the order of depositing the amount before the learned Magistrate.

The impugned order dated 14-12-2021 reflects that the learned Magistrate dismissed the revisional application on the ground that as there was no deposit of the sum of Rs.60,000/- which was passed as an interim order, the revisional application should be dismissed. .

It would not be out of place to state that the deposit in respect of appeal/revision against the judgement and order of conviction and sentence is by way of an interim measure for stay of the order/judgement and has got nothing to do with the final disposal of the revisional application. The revisional court or appellate court against a final order or judgement in respect of fine or sentence should hear out the case on merits.

Accordingly, the learned District & Sessions Judge, Bench II, Bichar Bhawan, Calcutta is directed to hear out the criminal revision

being criminal revision no. CRR 185 of 2019 on merits.

Petitioner is directed to be present before the learned revisional court/sessions court on 16th January, 2023.

The learned court would thereafter issue notice and fix date for final hearing on the merits of the case.

With the aforesaid observations, the present revisional application being CRR 554 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]