

D/L 33
February
15, 2022
Bpg.

C.R.R. No.1176 of 2017
With
CRAN 1 of 2017 (Old CRAN 1615 of 2017)
(Via Video Conference)

In Re: An application under Section 401 read with Section 482 of the
Code of Criminal Procedure, 1973;

Dilip Kumar Bali
Versus
The State of West Bengal & Anr.

The Present application has been preferred challenging the order dated 23.11.2016 passed by the learned Additional Sessions Judge, Chandernagar, Hooghly in connection with Criminal Revision No.24 of 2016.

The grievance of the petitioner relates to an order of acquittal being passed by the learned Magistrate in a case under Section 138 of the Negotiable Instruments Act. The learned sessions court while invoking its jurisdiction categorically opined that the judgment was delivered by the learned Magistrate on 28th February, 2014 and the revisional application was filed in the year 2016. On an appreciation of the reasons so assigned, the learned revisional court was pleased to dismiss the application under Section 5 of the Limitation Act.

I have perused the order passed by the leaned revisional court and I find that there were reasons substantiating for not allowing the application under Section 5 of the Limitation Act which was filed after a considerable period of time.

Having regard to the conclusion arrived at and the

foundation on which the order has been passed, I am of the considered view that no interference can be made.

Accordingly, CRR 1176 of 2017 along with CRAN 1 of 2017 (Old CRAN 1615 of 2017) is dismissed.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)