

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 2258 of 2022

**Pannalal Shaw
Vs.
Heena Lal Shaw & Ors.**

**For the petitioner : Mr. Shahan Shah, Adv.,
Mr. Shamim Halder, Adv.**

**Heard &
Judgement on : 06.07.2022.**

Bibek Chaudhuri, J.

It is alleged by the petitioner that he along with accused no. 1 obtained a term loan facility for the purpose of purchasing one flat. As per the sanctioned letter dated 6th January, 2006 loan was granted with a condition that the said loan is to be repaid in equal monthly installment of Rs. 5382/-. Repayment of the said loan was all through being made at the supervision of the accused no. 1 and in the year 2018, the accused no. 1 assured the petitioner that the said house building loan was paid on full satisfaction. Subsequently, accused no. 1 took a cash credit facility of Rs. 10,00,000/- and showed the petitioner as the guarantor of the said cash credit facility. Due to non-payment of the said amount a recovery proceeding was initiated by the Bank against the opposite party no. 2 and the petitioner. Subsequent to the final order being passed by the Debt

Recovery Tribunal recovery proceeding under the SARFAESI Act is under process. The petitioner also filed an application in the said proceeding under the SARFAESI Act. Subsequently, the petitioner has filed an application under Section 156(3) of the Code of Criminal Procedure against opposite party no. 2 alleging, *inter alia*, that he forged the signature of the petitioner on the Bank documents. The Learned Judicial Magistrate vide order dated 15th June, 2022 rejected the said application under Section 156(3) of the Code of Criminal Procedure.

On perusal of the entire materials-on-record, I do not find any illegality or irregularity in the impugned order. Accordingly, the instant revision is summarily **dismissed**.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)