

17-02-2022
Subha
Item-40
Ct -.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

(Via video-conference)

C.R.R 1995 of 2018

In Re: An application under Section 482 of the Code of Criminal Procedure.

In the matter of : Naresh Kumar Agarwal

...Petitioner.

Mr. Y. J. Dastoor, Id. Addl. Solicitor General,
Mr. Phiroze Edulji,
Mr. Samrat Goswami

..for the CBI.

The revisional application has been preferred challenging the judgement and order dated 18.05.2018 passed by the learned Additional District and Sessions Judge, Fast Track Court No. II, Bichar Bhawan, Calcutta in Criminal Revisional No. 170 of 2017.

The subject matter of challenge before the learned revisional court (being the sessions court) was the order dated 28.04.2017 passed by the learned Metropolitan Magistrate, 22nd court, Calcutta in connection with R.C.14/SCB/90-Calcutta dated 30.11,1990 under Sections 120B/419/420/467/468/471/477A of the Indian Penal Code.

The subject matter of challenge related to the dismissal of the discharge prayer advanced by the petitioner.

The order categorically reflects that there was an elaborate discussion by which the issue of charge was considered

by the learned Magistrate in the year 1996. The petitioner has again filed such application for discharge, which is a frivolous application. The learned sessions court after reiterating the factual position and analyzing the manner in which the proceeding was progressing dismissed the revisional application.

I have considered the order passed by the learned Additional District and Sessions Judge, FTC-II, Bichar Bhawan, Calcutta and I am of the opinion that the learned revisional court (sessions court) scrutinized the records of the case, analyzed the reasons and after assessing the materials dismissed the revisional application.

The present case do not involve any substantial question of law and as such no interference is called for by this court.

Accordingly, the revisional application being CRR 1995 of 2018 is dismissed.

Liberty is granted to the learned advocates appearing on behalf of the C.B.I to communicate the gist of the order to the learned trial court.

Interim order, if any, is, hereby, vacated.

All pending applications, if any, in connection with the revisional application, are consequently disposed of.

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

(Tirthankar Ghosh, J.)

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