

08.03. 2022
item No.5
n.b.
ct. no. 34

CRR 2120 of 2018
Sri Sabitabrata Guha Roy
Vs.
Sri Udayan Bose & Anr.

Mr. Kalyan Kumar Chakraborty,
Mr. Kashinath Bhattacharya,
Ms. Anjana Mehebeb,
Mr. Ashok Halder.....for the Petitioner

Mr. Tanmay Basu,
Md. Asif Iqbal ...For the opposite party.

The present revisional application has been preferred challenging the judgment and order dated May 3, 2018 passed in Criminal Appeal No.219 of 2016 passed by the learned Additional District & Sessions Judge, Fast Track 4th Court, Alipore, South 24-Parganas.

By the said order the learned Appellate court was pleased to affirm the order of conviction and sentence passed by the Learned Judicial Magistrate, 2nd Court, Alipore in complaint C. Case no. 6202 of 2012 dated 27.9.2016. On an analysis of the evidence which appear before the Court the learned Trial Court in a case of dishonor of two cheques aggregating to a sum of Rs.1,00,000/- was pleased to hold the present petitioner guilty and awarded sentence to suffer S.I. of 2(two) days and pay sum of Rs.1,10,000/- in default, to suffer S.I. of 6(Six) months. From the judgment of the appeal court it is clear from the findings that the evidence was assessed and thereafter the conclusion was arrived

at. No issue has been raised before this Court regarding the applicability of the provisions of the Negotiable Instruments Act. I do not find any question of law is involved for interference of this court against an order of the appeal Court.

Having regard to the same, I am not inclined to interfere with the order passed by the appeal Court.

Accordingly, CRR 2120 of 2018 is dismissed.

All pending connected application, if any, are consequently disposed of.

Interim order, if any, is hereby vacated.

Learned Judicial Magistrate, 2nd Court, Alipore is directed to exclude the sentence in connection with the C. Case No. 6202 of 2012.

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

(Tirthankar Ghosh, J.)