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July 20,
2022
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C.R.R.2672 of 2009

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

Sri Prasenjit Roy
Versus
Sri Kausik Dey

Records of the revisional application reflect that although the revisional application was filed in the year 2009, but till date, the same has not been admitted.

The subject matter of challenge relates to an order dated 28th May, 2009 passed by the learned Additional Sessions Judge, Fast Track, Fourth Court, Tamluk, Purba Medinipur in Criminal Revision No.22 of 2008.

The genesis of the case relates to the order dated 15th April, 2008 passed by the learned Judicial Magistrate, 3rd Court, Tamluk in C.R. Case No.571 of 2006 under Section 138 of the Negotiable Instruments Act. The impugned order reflects that on completion of evidence, an application was filed before the learned trial court regarding the signature not being genuine. The learned trial court considered the evidence including the examination under Section 313 of the Code of Criminal Procedure as also exhibits 11 and 11/1. On an appreciation of evidence of the case, learned revisional court came to the finding that the application has been filed by the petitioner to drag the trial of the case.

Having regard to the time period which has elapsed in the meantime and the observations made by the learned revisional

court/sessions court in its judgment and order dated 28th May, 2009, I am of the opinion that no interference is called for.

Accordingly, CRR 2672 of 2009 is dismissed.

Pending connected application, if any, is consequently disposed of.

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

(Tirthankar Ghosh, J.)