

30.06.2022  
Item No.5  
Ct. No.38  
Saswata

**CRR 3271 of 2011**

**In re : An application under Section 482 of the Code of Criminal Procedure, 1973**

**M/s Jai Hanuman Enterprises & Anr.**

**-vs-**

**The State of West Bengal & Anr.**

The petitioners in this revisional application have assailed the criminal proceeding in connection with Complaint Case no. 934 of 2010 pending before the Learned Judicial Magistrate, 2<sup>nd</sup> Court at Siliguri under Sections 138/142 of the Negotiable Instruments Act, 1881 and the subsequent orders passed in the said case. The petitioners state that in spite of no cogent case being made out by the complainant before the Magistrate, the complaint was taken into account and cognizance of the criminal case was taken, which according to the petitioners is only improper and irregular.

Therefore, challenging the same, he has come up in the revisional application.

Record in this revisional application shows that previously on several earlier occasions, none appeared in this case either on behalf of the petitioner or the opposite parties. The situation is same today. Therefore, the case is taken up for delivering the order.

On perusal of the materials on record, I do not find that the petitioner could make up any sustainable, cogent ground in this case to challenge the impugned order. Also that the cause

of action of the petitioner appears to be infructuous due to efflux of time.

Considering the facts and circumstances, I find no merit in the petitioners' case and also no issues to have remained to be adjudicated. The revisional application being CRR 3271 of 2011 is accordingly dismissed.

Interim order and connected applications, if any, stands vacated.

**(Rai Chattopadhyay, J.)**