

25.07. 2022
item No.44
n.b.
ct. no. 34

CRR 3126 of 2005

**M/s Kusum Products Limited & Ors.
Vs.
The State of West Bengal & Anr.**

None appears for the petitioners.

No accommodation has been prayed for.

Records reflects that there was no interim order since the revisional application was admitted on 29th November, 2005.

The subject-matter of the case relates to proceeding under Sections 138/141 of the Negotiable Instruments Act and the records reflects that the issuance of process was challenged before the revisional Court in Criminal Revision No.226 of 2004 which was dismissed by the Learned Sessions Court by its order dated 25th July, 2005 against the said order.

The petitioner approached this Court against the aforesaid order.

Having regard to the fact that there was no interim order in respect of the proceedings pending before the Learned Metropolitan Magistrate, 8th Court, Calcutta, I am of the opinion, by efflux of time the revisional application and its subject matter which was challenged has become infructuous, as more than sixteen years have been passed in the meantime. So far as the merits of the case is concerned, prima facie the

complainant able to establish its case and the issues canvassed by the petitioners are question of facts.

As such, no interference is called for.

Accordingly, CRR 3126 of 2005 is dismissed.

Connected applications, if any, are consequently disposed of.

Interim order, if any, stands vacated.

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

(Tirthankar Ghosh, J.)