

19-06-2023
Subha
Item no.59
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 314 of 2023

Saandhy Kumar Ganeriwala
-versus-
Pasari Promoters Pvt. Ltd.

Mr. Shataroop PURkayastha
Mr. Parikshit Basu
Ms. Jagriti Bhattacharyya
Ms. Bidisha Manna
.....for the petitioner.

Learned advocate for the petitioner draws the attention of this court to the relevant documents emphasizing that at the relevant period of time when the cheque was issued the petitioner was not exercising its function as an Additional Director and his appointment and resignation from the said office had no relation in respect of the period when the cheque was issued by the company. To that effect, relevant documents from the official website of the appropriate Authority has been enclosed along with the present revisional application.

In this case, the complaint was filed in the year 2017. The examination under Section 251 of the Code of Criminal Procedure was recorded in the year 2019, the examination-in-chief of PW-1 was complete in the year 2020 and the order dated 21.01.2021 reflects that the cross-examination of PW-1 was deferred on the prayer of the accused persons.

The issues canvassed by the petitioner definitely have a substantial force but the same is a belated plea taken up after the evidence has commenced. Petitioner, as such, after 6 years is granted liberty to take the points in course of the trial. Let the trial of the case be taken to its logical conclusion by fixing at least one date in a month so that preferably within a year the trial is concluded. Because of the plea taken

belatedly the interference in the present case is not made by this court.

With the aforesaid observations, the present revisional application being CRR 314 of 2023 is disposed of.

Pending any other applications are disposed of.

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

[Tirthankar Ghosh, J]