

20.01.2023

Court No.35
Item No. 14

D.Hira

CRR 536 of 2016
With
CRAN 2 of 2016 (Old No. CRAN 3122 of 2016)

Sumit Sarkar
Vs.
Debal Banerjee

No one is appearing for the petitioner and the opposite party as well. The matter is an old one pertaining to the year 2016 and also running in the list since 21.11.2022.

It appears from record that previously by dint of this Court's order dated 22nd December, 2022, the learned amicus curiae was appointed. However, in view of the nature of the case, it is found that the same may be disposed of without assistance from the learned amicus curiae.

Hence, the order of this Court dated 22nd December, 2022 is recalled and the case is taken up for disposal.

This is an application by the petitioner filed against the judgment and order dated 23rd December, 2015 by the Judge Bench – I, City Sessions Court, Calcutta in Criminal Appeal Case No. 52 of 2014. By dint of the said impugned judgment, the Sessions Judge has set aside the order of substantive sentence of imprisonment of the opposite party and by this way modified the judgment and order of the Trial Court dated 19th August, 2013, in Complaint Case No. C. 411 of 2008. The Appeal Court directed the opposite party to pay fine as stipulated.

The petitioner has challenged the Appellate Court judgment in this revision on the ground that the same is devoid of merit, not in compliance with the settled laws governing field.

On perusal of the entire materials available on record and the grounds made up by the petitioners I am constrained to find that the grounds

thereof are not sufficient and cogent enough to warrant this Court's interference into the impugned order. Hence, in my considered opinion the revision is liable to be dismissed.

Criminal Revision being CRR 536 of 2016 is dismissed.

All pending applications, if any, are consequently disposed of.

Certified website copies of this order, if applied for, be supplied to the parties subject to compliance with all the requisite formalities.

(Rai Chattopadhyay, J.)