

16.05.2023
Item No.37
Suman
Ct.42

CRR 994 of 2022
With
CRAN 3 of 2023

Dinesh Sanwarmal Jalan
Vs.
The State of West Bengal and Anr.

Mr. Apalak Basu
Ms. Ritu Das
Mr. S. Roy Choudhuri
Ms. Sharmistha China
..for the petitioner

Ms. P. Agarwal
..for the O.P. No.2

Mr. S. G. Mukherjee, Ld. P.P.
Mr. Imran Ali
Ms. Debjani Sahu
..for the State

Affidavit of service be kept with the record.

This is an application for extension of interim order.

It is submitted by the learned advocate for the opposite party that the instant matter can be disposed of in favour of the petitioner quashing the complaint case being C873 of 2020 under Section 138 read with Section 141 of the N.I. Act pending before the learned 9th Judicial Magistrate, Alipore on the ground that the petitioner resigned from directorship of the company

against which the opposite party filed an application under Section 138 read with Section 141 of the N.I. Act much before the issuance of the cheque and it is also admitted by the learned advocate for the opposite party/complainant that the petitioner is not liable to face trial under charge of Section 138 read with Section 141 of the N.I. Act.

In view of such submission made by the learned advocate on behalf of the complainant the aforesaid proceeding being Complaint Case C873 of 2020 be quashed as against the petitioner.

The instant revision along with the connected applications are accordingly disposed of.

The parties are at liberty to act on the server copy of this order.

(Bibek Chaudhuri, J.)