

15.05.2023

Court No.35
Item No. 32

D.Hira

CRR 792 of 2015

**Sarit Kumar Bhattacharyya & Anr.
Vs.
Puspa Ghosal & Anr.**

None appears on behalf of the petitioners. Opposite party has been represented. This matter is pending in the list since 01.05.2023 and has been called on each day of working of this Court since that date. In spite of that no one is appearing. The petitioner is found to be not interest in this case. Therefore, the same is taken up today for disposal on merit.

Judgment and order of the Additional Sessions Judge, 3rd Court at Hooghly dated 27.01.2015 in Criminal Appeal No. 26 of 2013 is under challenge in this case. The Sessions Judge has upheld the judgment and order of Judicial Magistrate, 3rd Court at Hooghly dated 16.03.2013 in C.R. Case No. 479 of 2008.

The petitioners were convicted and sentenced to pay fine and compensation, in a proceeding under Section 138 of the Negotiable Instruments Act. The petitioners have assailed the said judgment as well as confirming the judgment of the First Appellate Court on the ground that the same are not in compliance with the law as well as suffers from the defect of non-consideration of the facts of the case also.

On perusal of the entire materials available on record and the grounds made up by the petitioner 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 792 of 2015 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.)