

16.03.2023

Court No.35
Item No. 46

D.Hira

CRR 1008 of 2015
With
CRAN 1 of 2016 (Old No. CRAN 496 of 2016)

Prabir Sinha
Vs.
Ashok Shaw & Anr.

None appear on behalf of either of the parties. This matter is pending in the list since 18.01.2023 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.

In this case the petitioner has assailed the order of conviction and sentence dated 7th January, 2015 by the Magistrate in C.R. Case No. 374/11, which was later on affirmed by the District and Sessions Judge vide judgment dated 13th February, 2015 in Criminal Appeal No. 8 of 2015. The case was under the provisions of Section 138 of the Negotiable Instruments Act.

The petitioner has categorically taken the grounds that the facts of the case has not been considered against the touchstone of the settled legal principles in the matter and both the Courts have come to a finding which is de hors the law and not maintainable.

On perusal of the entire materials available on record and the grounds made up by the petitioners, I am constrained to find that the those 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 1008 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.

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(Rai Chattopadhyay, J.)