

03.05.2023

Court No.35
Item No. 50

D.Hira

CRR 1692 of 2016
With
CRAN 1 of 2016 (Old No. CRAN 3419 of 2016)

**M/s. Abhisek Construction rept by
its Partner S Mistri & Ors.
Vs.
The State of West Bengal**

None appears on behalf of either of the parties. This matter is pending in the list since 21.04.2023 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 judgment and order dated 28.04.2016 of the Additional Sessions Judge, 3rd Court at Alipore in Criminal Appeal no. 109 of 2015 has been challenged.

The Sessions Judge has affirmed the order of conviction and sentence dated 28.04.2015 passed by the Judicial Magistrate, 6th Court at Alipore in Complaint Case No. 10829 of 2011 under Section 138 of the Negotiable Instruments Act.

According to the petitioner, both the judgments of the Courts of First instance have been passed on the basis of erroneous consideration of attending facts and circumstances as well as a wrong perception of the settled legal position.

According to him, the said judgment dated 28.04.2016 and also the judgment of the Magistrate dated 28.04.2015 are liable to be quashed and set aside.

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 1692 of 2016 is disposed of.

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.)