

28.06.2023

Item No.27
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 2335 of 2023

In the matter of : **Ruth Chatterjee** ... Petitioner.

Mr. Soham De Dhara ... For the Petitioner.

The present revisional application has been preferred challenging the continuance of the proceedings being Complaint Case No. 1861 of 2022 dated 14.07.2022 by one Ruth Chatterjee before the learned Chief Judicial Magistrate, Alipore.

Learned advocate appearing for the petitioner has referred to various contentions so advanced in the present revisional application.

I have considered the same in the background of the allegations made in the petition of complaint, the affidavit filed under Section 145 of the Negotiable Instruments Act as well as the initial evidence. On an assessment of such contentions, I am of the view that the issues so canvassed are required to be tested on dock by way of cross-examination. This Court while invoking its jurisdiction under Section 482 of the Code of Criminal Procedure cannot summarily consider such issues. As such, no interference is made on the merits of the complaint in respect of which proceedings are continuing before the learned trial court. However, I have been informed that the petitioner is a lady and she has advanced a prayer under Section 205 of the Code of Criminal Procedure before the learned trial court.

The learned trial court will not insist on day to day physical appearance of the present petitioner, if she is represented by her learned advocate on the date fixed by the learned trial court.

With the aforesaid observations, the revisional application being CRR 2335 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)