

CRR 3861 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973 quashing proceeding being Complaint Case No. A.C.- 3222 of 2017 pending before the learned ACJM, Alipore, South 24-Parganas under Section 138 of the Negotiable Instruments Act.

Koushik Das @ Kaushik Das

-Versus-

Avijit Kumar Mondal

Mr. Sourav Chatterjee, Adv.,
Mr. Anirban Tarafdar, Adv.

...for the petitioner.

Written instructions submitted by Mr. Sourav Chatterjee, learned Advocate appearing for the petitioner, be kept with the records.

The petitioner undertakes to deposit the cheque amount before the learned Additional Chief Judicial Magistrate, Alipore, South 24-Parganas in connection with A.C. – 3222 of 2017.

As pointed out by Mr. Chatterjee, the said amount reflects to be Rs.50,000/-. If the said amount is deposited with the learned trial Court, the learned trial Court, on appearance of the petitioner, namely, Koushik Das @ Kaushik Das, would allow him to continue on the same bail and bond and recall the warrant of arrest so issued. A single opportunity will be given to the petitioner to cross-examine the PW 1. The learned Magistrate would fix the dates at its convenience and try to conclude the trial as expeditiously as possible.

The aforesaid directions are subject to deposit of the cheque amount as has been observed above.

With the aforesaid observations, CRR 3861 of 2023 is disposed of.

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

(Tirthankar Ghosh, J.)