

14-08-2023
Court No.3
mg/19.

**In The High Court At Calcutta
Jalpaiguri Circuit Bench**

**C.R.R. 75 of 2021
With
IA No. CRAN 1 of 2021**

**BIRENDRA KUMAR RAJAK AND ANR.
Vs.
WINDAMERE HOTEL PVT. LTD.**

Mr. Aditi Shankar Chakraborty
Mr. Ujjwal Lukson
...for the State

None appears for the petitioner. On number of occasions previously none appeared for the petitioner.

The instant criminal revision is filed against the judgment dated 8.12.2020 passed by learned Sessions Judge, Darjeeling in criminal appeal no. 3 of 2018.

Complaint case was lodged against the accused person under Section 630 of the Companies Act in the Court of Learned Chief Judicial Magistrate, First Class Sadar Court Darjeeling. The Trial Court in terms of the Order dated 8th December, 2020 convicted

the petitioner under Section 630 of the Companies Act and was sentenced to pay fine.

The Appellate Court in terms of the judgment dated 8th December, 2020 in Criminal Appeal no. 3 of 2018 was pleased to uphold the Order of conviction passed by the Trial Court. The Appellate Court appreciated fact as well as point of law and examined the Order passed by the Trial Court. There was concurrent finding of two Courts below. Neither there is any perversity nor there deviation of law. This Court, therefore, is not inclined to interfere into the concurrent findings of both the Courts.

Accordingly, the instant revision application stands dismissed on merit along with pending applications.

(SUGATO MAJUMDAR, J.)