

18-08-2023
Court No.3
bm/mg/7.

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

**C.R.R. 107 of 2021
With
IA No. CRAN 2 of 2022**

**SHYAMAL KUMAR SARKAR @ SHAMAL
KUMAR SARKAR**

**Vs.
State of West Bengal & Ors.**

Mr. Aditi Shankar Chakraborty
Mr. Nilay Chakraborty
... for the State

None appears for the petitioner. On previous occasion namely on 14th August, 2023 none appeared for the petitioner.

The petitioner was prosecuted under Section 138 of the Negotiable Instrument Act in the Court of Judicial Magistrate, 2nd Court, Siliguri. After the trial the petitioner was convicted and sentenced by Order dated 21.09.2016 to suffer simple imprisonment for a period of one month and was directed to pay a sum of Rs. 3,00,000/-(Three Lakhs) as

compensation, in default he will suffer simple imprisonment for a period of six months. In criminal appeal no. 03 of 2017 the learned Additional District and Sessions Judge, 1st Court dismissed the appeal in terms of impugned judgment dated 22.03.2021 and affirmed the Order of Trial Court dated 21.9.2016.

Against the Order passed by the first Appellate Court dated 22.03.2021 the instant revision is preferred.

On perusal of the Order passed by the Trial Court it appears that the Trial Court passed the Order on proper appreciation of evidence and in proper application of law. The first Appellate Court considered the materials on record and concurred with the findings of the Trial Court. There is nothing special which demands reconsideration of concurrent findings of both the Courts. Therefore, this Court is not willing to interfere into the concurrent finding of both the Courts below.

The instant revisional application is therefore dismissed on merit.

The instant revisional application is disposed of along with all pending applications.

(SUGATO MAJUMDAR, J.)