

25-01-2024
Subha
Item no. 21
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
CRR 49 of 2024

Koushik Chatterjee
-versus-
Avijit Ghosh.

Mr. Sayan Mukherjee
Mr. Ashutosh Singh
..for the petitioner.

Petitioner has come up for quashing of the proceeding relating to Misc. Execution Case No. 113 of 2023 arising out of Complaint Case No. 946 of 2018 which is pending before the learned Metropolitan Magistrate, 8th court, Calcutta. The complaint case was initiated in the year 2018 and more than five years have been passed and an order has been passed under Section 143A of the N I Act on 17-11-2022, which has been put into execution by the complainant under Section 421 of the Code of Criminal Procedure and subsequently distress warrant has been issued.

Having regard to the time which has elapsed and the purposes for which the distress warrant has been issued, I do not find any illegality in the order passed by the learned Metropolitan Magistrate, 8th court Calcutta. As such, no interference is made by this court.

Accordingly, the revisional application being CRR 49 of 2024 is dismissed.

Pending applications, if any, are disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

