

10.05.2024
SL. 90
Court No. 34
Sourav

C.R.R. 1917 of 2024

In re: An application Under Section 379/401 read with Section 482 of the Code of Criminal Procedure, 1973.

And

In the matter of: **Ajay Kumar Agarwala @ Ajay Agarwala**
... petitioner.

Mr. Uday Sarkar Chattopadhyay
Mr. Santanu Maji
...for the petitioner.

The petitioner has challenged the order dated 08.04.2024 passed by the learned Metropolitan Magistrate, 10th Court, Calcutta, in C.N. Case No. 34303 of 2017.

The said order is in two parts. The first part deals with the accused praying for sending the cheque to handwriting expert for assessment regarding the signature in the cheque. The other part was an application by the complainant under Section 311 of the Code of Criminal Procedure for examination of the bank personnel so far as the issue relating to the cheque is concerned.

Learned Magistrate allowed the application of the complainant for examination of the bank authorities.

Accordingly, the bank authorities will check the signature available in the cheque. If the learned Magistrate, thereafter, during the cross-examination of the present petitioner is satisfied, will reconsider the prayer of the present petitioners on cogent grounds as has been laid down by the Hon'ble Supreme Court in the judgment of **Kalyani Baskar**

Vs. Sampooranam, (2007) 2 SCC 258. For the time being, there is no scope for interference.

As such, with the aforesaid observations, the present revisional application being **CRR 1917 of 2024** is 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.)

