

Court No.
28
Item 89
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C.R.R. 1456 of 2025

08.05.
2025

In the matter of: **M/s Dataji Rice Mills Pvt. Ltd. & others.**

Mr. Avik Ghatak
Mr. Saibal Dasgupta
...for the petitioners

Ms. Meenal Palana
Ms. Rituparna Chatterjee
Ms. Khushboo Choudhury
Ms. A. Kedia
..for the opposite parties

Copy of order sheet filed on behalf of the complainant opposite party is taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner is an accused in a case under Section 138 of the Negotiable Instruments Act. The trial is going on. Suddenly the complainant has come up with a purported agreement and wants to exhibit a photocopy of the same on the ground that the original was not available. However, the trial Court has allowed such prayer of the petitioner and has permitted the petitioner only to cross-examine the complainant on this point. The petitioner intends to cross-examine the complainant fully and the same had not been allowed earlier.

Learned counsel appearing on behalf of the complainant opposite party denies the allegations and submits as follows. First, the cross-examination of the complainant was done on behalf of the accused in 2018.

So far as the present application of the petitioner to adduce a copy of an agreement, there was no opposition/objection filed by the petitioner in this regard. In fact, as would appear from a copy of the latest order sheet, the defence has already cross-examined the complainant on this point.

First, I do not find any patent illegality in the impugned order where it allowed the complainant to be examined only on the point of production of the copy of agreement in question.

It further appears that the complainant was cross-examined on the other issues way back in 2018. Now, as has been submitted on behalf of the complainant, the petitioner has already cross-examined the petitioner on the additional issue.

Therefore, no further order need be passed in this regard.

With these observations, the revisional application is disposed of without any further order, even as to costs.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)