

11.09.2025
Item No.28
Ct. No. 446
RP

CRR 3741 of 2025

In the matter of: Md. Khalique

Mr. Debasish Kar
Mr. Husen Mustavi
.....For Petitioner

1. This revisional application is filed for quashing of all further proceeding in respect of Complaint Case No.1995 of 2023 under Section 138 of the Negotiable Instrument Act now pending before the 7th Court of Judicial Magistrate, Asansol, Paschim Bardhaman.
2. It is the case of the petitioner that after receiving summon he has paid entire amount of Rs.50,000/- for which a complaint was lodged under Negotiable Instrument Act. However, on the date fixed on 21st May, 2025 the petitioner though mentioned before the learned Court that he has also paid entire amount the same was not considered and fixed the matter on 6th September, 2025 for evidence. Being aggrieved thereby this revisional application has been filed.
3. Heard the submission and perused the record. Regarding payment of entire amount as submitted before this Court has not been mentioned in any paragraph of this revisional application and also when

and how such amount has been paid. Moreover, in the order passed by the learned Court nothing is found recorded regarding payment of such amount. Therefore, it is difficult for this Court to make any observation to that extent that the learned Court did not take into consideration about payment of entire amount when the complaint was lodged because of non-payment of such amount and dishonouring of cheque to the extent of Rs.50,000/. Be that as it may, since the petitioner has specifically on affidavit has stated that he has already paid entire amount, opportunity is given to the petitioner to raise such issue by filing an application before the learned Court and in case of such application is filed the learned Court is also directed to consider the same and to dispose of the matter in accordance with law.

4. In view of the above direction, this revisional application is disposed of.
5. Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

(Chaitali Chatterjee (Das), J.)

