

IN THE HIGH COURT AT CALCUTTA
IN THE CIRCUIT BENCH AT JALPAIGURI
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

18.06.2025
(ct. no.02)
65
Kausik

CRR 467 of 2024

In the matter of : Barkat Ali

.... Petitioner.

Mr. Sudip Guha

.... For the petitioner.

Mr. Esha Acharya
Mr. R. Chakraborty

.... For the State.

Learned advocate appearing for the petitioner submits that he has repaid substantial amount of money in respect of the cheque which was issued by him and in spite of receipt of the amount, subsequently, the complainant is denying to withdraw the case.

Learned advocate for the petitioner submits that the petitioner is further ready and willing to pay rest of the money.

Learned advocate appearing for the complainant/opposite party on the other hand denies and disputes the issue relating to payment.

Since both the parties are disputing regarding the factum of receipt and non-receipt of money, the same, as such

is a disputed question of fact, which can only be adjudicated by the Trial Court after appropriate evidence is adduced by the petitioner and/or rebutted by the complainant/opposite party.

At this stage there is no scope for interference in respect of the subject matter of the revisional application.

Petitioner as such is granted liberty to adduce such evidence at the appropriate stage of the proceedings.

With the aforesaid observations CRR 467 of 2024 is disposed of. Connected applications if any be consequently disposed of.

All parties to act on the server copy of this order duly downloaded from the official website of this Court.

(Tirthankar Ghosh, J.)