

**IN THE HIGH COURT AT CALCUTTA**  
**Criminal Revisional Jurisdiction**  
**CRR 587 of 2025**

**Bikash Mondal**  
**Vs.**  
**The State West Bengal & Anr.**

Re : An application under Section 482 of the Code of Criminal Procedure read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita.

Mr. Arnab Chatterjee, Adv.,  
Mr. Amanul Islam, Adv.,  
Mr. Sourav Mukherjee, Adv.  
... For the Petitioner.

1. This revisional application has been filed challenging the order dated January 27, 2025 passed by the learned Judicial Magistrate, Nabadwip, Nadia in C.R. Case No.31 of 2017 in respect of a proceeding under Section 138 of the Negotiable Instrument Act.

2. The learned advocate for the petitioner submits that in course of trial while PW 1 was adducing evidence, an application for recall was filed for further cross-examination under Section 311 of the Code of Criminal Procedure. The said prayer was not accepted and the recalling application was not considered.

3. It transpires from the record that the evidence of the PW 1 was concluded and he was discharged. The evidence of PW 1 was concluded on March 30, 2019 and the application was filed on January 27, 2025, that is, almost after six years, without having any explanation to the same.

4. On careful perusal of the order passed by the learned trial Court, it transpires that on considering the entire facts and circumstances and in the light of the decision in the

case of ***State (N.C.T of Delhi) Vs. Shivkumar Yadav*** reported in ***(2016) 2 Supreme Court Cases 402***, the learned Court refused the prayer of the petitioner with the observation that the petition so filed is for filling up the lacuna in the initial cross-examination.

5. Therefore, this Court, considering the facts and circumstances of the case does not find any material for which any interference is necessary. The instant revisional application having no merit stands dismissed.

6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

7. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

**[Chaitali Chatterjee (Das), J.]**