

Criminal Revision No.25 of 2025

CNR WBHW01-00-0946-2025

Present: Sri Abhijit Som

Sessions Judge, Howrah

J.O. Code – WB01127

Order No.02 dated 06.03.2025

The record is put up on prayer.

Ld. Advocate on behalf of the petitioner moves an application for stay of the operation of the order dated 28.11.2024 passed by the Ld. J.M., 4th Court, Howrah in connection with C264 of 2023.

It is submitted on behalf of the petitioner that the Ld. Magistrate without going into the merit of the case mechanically passed the order directing the petitioner to pay 20% of the cheque amount. The court below ought to have considered the nature of transaction of the parties and the capacity of the petitioner for payment.

Ld. P.P. in charge submits that there is no such illegality in the order passed by the Ld. Magistrate.

It appears to this court that no notice upon O.P. No.1 is served. So, it is not prudent to pass any order of stay without hearing the O.P. No.1.

Accordingly, no interim order is passed.

The stay application will be heard in presence of both sides including the state.

To date (08.05.2025).

Dictated & corrected by me

Sessions Judge,
Howrah

Sessions Judge,
Howrah