

**IN THE HIGH COURT AT CALCUTTA  
Criminal Revisional Jurisdiction**

**CRR 872 of 2026**

**In re :** An application under Sections 397/401 read with Section 482 of the Code of Criminal procedure corresponding to Sections 438/442 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita.

*-And-*

**In the matter of : Lakshman Prasad Agarwal & Anr.**

Mr. Ayan Bhattacharjee, Sr. Adv.,  
Mr. Sounak Mondal, Adv.,  
Mr. Sumit Biswas, Adv.,  
Ms. Rajashree Bhowmick, Adv.

... For the Petitioners.

1. Heard the submission of the learned Senior Advocate representing the petitioners.

2. This revisional application has been filed challenging the order dated January 17, 2026 passed by the learned Judicial Magistrate, 8<sup>th</sup> Court, Alipore, arising out of a case under Sections 138/141 of the Negotiable Instrument Act, 1881. Prima facie, the stand taken by the learned Senior Advocate is that the order itself is not maintainable in view of the settled law that the only “drawer” can be fastened with the liability to pay the interim compensation and not the Directors of the company. Learned Senior Advocate for the petitioners has relied upon a decision of the Hon’ble Supreme Court in the case of **Shri Gurudatta Sugars Marketing Private Limited Vs. Prithviraj Sayajirao Deshmukh and Ors.**, reported in **(2024) 15 Supreme Court Cases, 252**. Hence, an arguable case has been made out by the learned Senior Advocate for the petitioners for which the matter is required to be heard.

3. The petitioners are, therefore, directed to serve a copy of this revisional application upon the opposite party by Speed Post and to file Affidavit-of-Service on the next date of hearing.

4. Let the matter appear before the regular Bench four weeks hence under the heading “**Contested Application**”.

5. Meanwhile, all further proceedings pending before the learned court shall remain stayed so far the present petitioners are concerned, till March 31, 2026 or until further orders, whichever is earlier.

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.]**