

CRR No. 2532 of 2025

In the matter of : M/s.Transmart Container Lines

..... petitioner.

Mr. Sabir Ahmed

Mr. Shraman Sarkar

...for the petitioner.

Supplementary affidavit filed by the petitioner is taken on record.

The petitioner has assailed the order dated 1st February, 2025 passed by the learned Chief Judge, City Sessions Court, Calcutta in Criminal Appeal No.63 of 2024 whereby the learned Judge has refused to admit the appeal due to non compliance of the Court's order.

Heard learned counsel for the petitioner.

By a judgment delivered on 12th February, 2024 in Case No. CS 423095 of 2014 the learned Metropolitan Magistrate, 14th Court, Calcutta, presently redesignated as learned Judicial Magistrate, 14th Court, Calcutta convicted the petitioner for offence under Section 138 of the Negotiable Instruments Act and sentenced him to suffer simple imprisonment for six months and pay fine of Rs.90 lakhs, in default to undergo simple imprisonment for another one year and six months.

The petitioner assailed the said judgment in appeal being No.63 of 2024. The learned Appellate Court by an order passed on 15th May, 2024 directed admission of the appeal subject to depositing 20% of the fine amount by the petitioner before the learned trial Court within 9th July, 2024.

The said order was assailed by the petitioner before this Court in a revisional application wherein the petitioner was favoured with an interim order. The interim order was subsequently vacated since the petitioner took no steps on the relevant date. Under such circumstances, the learned Appellate Court has refused to admit the criminal appeal due to non compliance of the order of the Court by the petitioner.

As a consequence thereof, the learned Magistrate, by an order dated 17th May, 2025 has directed issuance of non bailable warrant of arrest against the petitioner/convict.

The matter needs to be heard on merits.

The petitioner is directed to serve copy of the application along with annexure thereto upon the opposite parties and file affidavit of service on the adjourned date.

The order impugned dated 1st February, 2025 passed by the learned Chief Judge, City Sessions Court, Calcutta in Criminal Appeal No.63 of 2024 and order directing issuance of warrant of arrest dated 17th May,

2025 passed by the learned Judicial Magistrate, 14th Court, Calcutta in Case No. CS 423095 of 2014 be stayed till 15th July, 2025 or until further orders, whichever is earlier.

The matter be placed before the regular Bench.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)