

CRR 4256 of 2025

Kanta Kothari
Vs.
State of West Bengal & Anr.

Mr. Aditya Chakraborty
Mr. Amar Nath Agarwal

... for the petitioner.

Mr. Samrat Choudhury
Mr. Ronit Naskar
Mr. Arju Sahani

... for the opposite party no.2.

1. Present petition has been filed challenging the judgment and order dated 21st August, 2025 passed by the learned Additional District and Sessions Judge, Fast Track Court No.1, Bichar Bhawan, City Sessions Court, Calcutta, in Criminal Revision No. 277 of 2019 whereby the order dated 27th August, 2019, passed by the learned Metropolitan Magistrate, 20th Court, Calcutta, in complaint case no CN/11216/2017 under Section 138 of the Negotiable Instruments Act, 1881, has been upheld.

2. Learned counsel for the petitioner submits that in the interregnum period pursuant to the order of this Court, the petitioner had deposited Rs.3,00,000/- against the liability which has duly been withdrawn by the opposite party. Learned counsel for the opposite party / complainant has not disputed this fact.

3. Learned counsel for the petitioner submits that the learned Additional District and Sessions Judge has not taken this account into the fact, on account of which now the petitioner is facing execution of the entire amount of Rs.5.5 lakhs and warrants of arrest have been issued.

4. Learned counsel for the opposite party no.2 states that the matter may be listed for hearing.
5. Let both the parties file brief written notes of argument not exceeding three pages along with judgments which they want to rely upon with a copy to the other side.
6. Let the Trial Court Records be also called for.
7. Let the matter be listed on 20th May, 2026.
8. In the meantime, no coercive action be taken against the petitioner.
9. All parties shall act on the basis of the server copy of this order duly downloaded from the official website of this Court.

(Dinesh Kumar Sharma, J.)