

30.09.2022
Item No.04.
Suman
Ct.42

CRR 3795 of 2022

Pradip Kumar Ghosh
Vs.
Union of India

Mr. Ayan Bhattacharjee
Mr. Aditya Ratan Tiwary
Mr. Suman Majumder
...for the petitioner

The petitioner was convicted in G.R. Case No.2550 of 1992 for the offence punishable under Sections 419/420 of the Indian Penal Code by the trial Court. The trial Court being the Metropolitan Magistrate, 22nd Court at Calcutta passed an order that the petitioner be sentenced to suffer simple imprisonment for two years and to pay fine of Rs.10,000/- for the offence punishable under Section 419 of the Indian Penal Code. The petitioner was also sentenced to simple imprisonment for another two years for the offence punishable under Section 420 of the Indian Penal Code and to pay fine of Rs.10,000/-, in default, simple imprisonment for 30 days. The sentences were directed to be run consecutively. The petitioner challenged the said judgment and order of

conviction and sentence in appeal. The said appeal registered as Criminal Appeal No.18 of 2016. The learned Additional Sessions Judge, 1st Fast Track Court, Bichar Bhawan, Calcutta passed judgment dated 16th September, 2022 dismissing the said appeal on contest affirming the order of conviction and modifying the sentence of payment of fine with further direction that the sentence of imprisonment shall run concurrently.

The petitioner has filed the instant revision assailing the judgment and order of affirmation by the Appellate Court.

The instant revision be admitted.

The petitioner is directed to serve notice upon the opposite party through the learned Additional Solicitor General, High Court, Calcutta and file affidavit of service within three weeks after vacation.

In the meantime, execution of sentence of imprisonment be stayed till 31st December, 2022.

Realization of fine amount be also stayed till the aforesaid period.

Department is directed to call for lower Court record.

(Bibek Chaudhuri, J.)

