

ITEM NO.207

COURT NO.2

SECTION IIB

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl) No(s).6786/2008

(From the judgement and order dated 30/06/2008 in CRR No.822/2007  
of The HIGH COURT OF CALCUTTA)

ASHOK CHAUDHURY

Petitioner(s)

VERSUS

STATE OF WEST BENGAL & ANR.

Respondent(s)

(With appln(s) for stay, permission and office report)

Date: 04/05/2012

This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ALTAMAS KABIR  
HON'BLE MR. JUSTICE SURINDER SINGH NIJJAR

For Petitioner(s)

Mr. Anil Agarwalla, Adv.  
Mr. Jagdeep Anand, Adv.  
Ms. Rashmee Ray Choudhary, Adv.  
Mr. R.K. Jha, Adv.  
Mr. K.V. Vijayakumar, AOR

For Respondent(s)

Mr. Kabir Shankar Bose, Adv.  
Mr. Abhijit Sengupta, Adv.  
Mr. B.P. Yadav, Adv.  
Ms. Sampa Sengupta Ray, Adv.  
Mr. Tara Chandra Sharma, AOR

For R-2

Mr. Ashok K. Shrivastava, Sr. Adv.  
Mr. Deepak Kohli, Adv.  
Mr. Chander Shekhar Ashri, AOR

UPON hearing counsel the Court made the following

O R D E R

SLP (CRL.) 6786/2008

This special leave petition is directed against the order dated 30th June, 2008, passed by the Calcutta High Court, dismissing the petitioner's criminal review application, being C.R.R. No.822 of 2007, which was directed against issuance of summons to the petitioner in Case No.C/13774 of 2006, pending before the Court of Chief Metropolitan Magistrate, 8th Court, Calcutta, under Section 138 of the Negotiable Instruments Act.

Since the revision was directed only against issuance of summons, the High Court had no option, but to dismiss the revision application, since there was nothing before it by way of evidence to establish the allegations made in the complaint.

Accordingly, we see no reason to interfere with the judgment and order of the High Court and the special leave petition is dismissed.

Interim order, as passed earlier, is vacated.

(Chetan Kumar)  
Court Master

(Juginder Kaur)  
Assistant Registrar