HIGH COURT OF TRIPURA
AGARTALA

Crl. Rev. P No. 3 of 2019.

Sri Chandan Rabi Das.

…… *Petitioner(s).*

Vs.

Sri Ramu Bhowmik and another.

…… *Respondent(s).*

For Petitioner(s)	:	Mr. Raju Datta, Advocate.
For Respondent(s)	:	Mr. Ratan Datta, Public Prosecutor. Mr. A. Acharjee, Advocate.

THE HON'BLE MR. JUSTICE S. G. CHATTOPADHYAY

O R D E R

17/12/2020

Heard Mr. Raju Datta, learned counsel appearing for the petitioner. Heard Mr. Ratan Datta, learned Public Prosecutor for State-respondent No.2 as well as Mr. A. Acharjee, learned counsel who appears for complainant-respondent No.1.

This is a criminal revision petition against the judgment and order dated 12.12.2018 passed by the learned Session Judge, Gomati Judicial District, Udaipur in case No. Criminal Appeal 31(3) of 2017 whereby the learned Session Judge affirmed the judgment and order of conviction and sentence dated 12.06.2017 passed by the learned Judicial Magistrate, First Class (Court No.2) Udaipur in case No.CR(NI) 38 of 2016. The proceeding was brought under Section 138 of the Negotiable Instruments Act, 1981 (for short, 'NI Act') against the petitioner in which he was found guilty and the learned trial Court convicted him under Section 138 of NI Act and

sentenced him to pay a fine of Rs.3,00,000/-(rupees three lakhs) payable to the complainant and in default to undergo SI for 4(four) months and such conviction and sentence passed by the learned trial Court was upheld by the learned Sessions Judge by the impugned judgment.

Aggrieved with the impugned judgment and order of the learned Session Judge, the petitioner preferred this criminal revision petition on various grounds. During the pendency of this criminal revision petition, the parties settled the matter and pursuant to such settlement the petitioner deposited Rs.2,00,000/- (rupees two lakhs) in the official account of the Registrar General of the High Court in terms of the direction vide order dated 12.07.2019 of this Court. The remaining amount of Rs.1,00,000/- (rupees one lakh) has also been deposited by the revision petitioner in the said account of the Registrar General of the High Court vide demand draft No.015820 dated 16.12.2020. Therefore, the petitioner has deposited the whole amount of fine in the account of the Registrar General of the High Court.

Mr. A. Acharjee, learned counsel appearing for the complainant-respondent No.1 urges the Court to issue a direction to the Registry of the High Court to release the said amount of Rs.3,00,000/-(rupees three lakhs) in favour of the complainant-respondent No.1 along with interest, if any, accrued thereon.

Accordingly, the Registrar General will release the amount of Rs.3,00,000/-(rupees three lakhs) in favour of the

complainant-respondent No.1 namely, Shri Ramu Bhowmik, S/o. Late Prem Chanda Bhowmik of Town Rajarbag, P.S-R. K. Pur, District-Gomati Tripura with interest, if any, accrued thereon at the earliest by issuing an A/c payee cheque in his favour on proper identification of the person within two weeks from today.

Since the fine imposed on the petitioner has been deposited by him, he is discharged from the liability.

The criminal revision petition stands disposed of accordingly.

JUDGE

Dipankar

HIGH COURT OF TRIPURA
सत्यमेव जयते