

15.09.2021

Item No.2
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 4241 of 2012
(Via Video Conference)

Smt. Purnima Ganguli
versus
Sri Bibhas Kumar Chowdhuri

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. Pradyat Saha ... For the Petitioner.

Mr. Saryati Datta ... For the Petitioner (being appointed by
High Court Legal Services Authority)

Mr. Sandip Chakraborty ... For the State.

Pursuant to the direction of this Court, the Inspector-in-Charge, Dankuni Police Station has submitted a report. Let the said report dated 14.09.2021 be kept with the record.

The report reflects that two cheques, which were issued in favour of Smt. Suparna Choudhury and Koustav Choudhury, were encashed on 08.09.2021.

In view of the report received, I find that the amount of the cheques, which were dishonoured, has been disbursed to the beneficiary. Having regard to the conduct of the present petitioner and the fact that the cheque amount has been paid by the present petitioner, who happens to be a lady, the conviction and order of sentence including the order of compensation as passed by the learned Chief Judicial Magistrate, Serampore, Hooghly which was affirmed by the learned Additional Sessions Judge, 1st Court, Hooghly in Criminal Appeal No. 29 of 2010, is hereby set aside.

The petitioner is acquitted of the charges. If the petitioner is on bail, she must be discharged from the bail bonds.

The revisional application being CRR 4241 of 2012 is, thus, allowed.

Interim order, if any, is hereby made absolute.

All pending connected applications, if any, are consequently disposed of.

Department is directed to communicate this order to the learned Chief Judicial Magistrate, Serampore, Hooghly as well as the learned Additional Sessions Judge, 1st Court, Hooghly.

All parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

(Tirthankar Ghosh, J.)