

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

**IA No: CRAN/1/2022
In
C.R.R. 2287 of 2022**

**Sri Prosanta Bose
Vs.
The State of West Bengal & Anr.**

For the petitioner : Mr. Rabindra Kumar Jaiswal, Adv.

For O.P. No.2 : Ms. Debolina Bhar, Adv.

Heard on : 08.07.2022

Judgment On : 08.07.2022.

Item No. : 1.

Bibek Chaudhuri, J.

The instant revision arises challenging the order of conviction and sentence passed by the learned Judicial Magistrate, 1st Court at Sealdah on 13th March, 2019 in case No.C.389 of 2007 under Section 138 of the Negotiable Instruments Act.

Be it mentioned here that initially the above-mentioned complaint case was disposed of by a judgment and order of conviction and sentence dated 18th February, 2011. The accused/petitioner

preferred an appeal before the Sessions Court bearing Criminal Appeal No.2 of 2012. The said appeal was dismissed by the learned Additional Sessions Judge, Fast Track Court No.I, Sealdah. Challenging the said order of affirmation, the petitioner has filed the instant revision. During the pendency of the revision, the parties have filed joint petition of compromise, stating, *inter alia*, that the petitioner has already paid entire compensation amount as well as fine amount. The opposite party No.2 has submitted before the Court through his learned Advocate that if the instant revision is disposed of on the basis of the compromise, he has no objection. In view of such fact, the instant criminal revision is disposed of on compromise. The joint petition of compromise be made part of this order.

In view of such compromise, conviction and sentence passed by the learned Additional Sessions Judge, Fast Track, Court No-I, Sealdah in Criminal Appeal No.2 of 2012 be set aside.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).**