

25.04.2023
Sl.no. 61
Ct. No. 236
P.M.

C.R.R. 585 OF 2012

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CRAN 2 of 2023

Gurpal Singh

- vs -

The State of West Bengal & Anr .

Mr. Milon Mukherjee, Sr. Adv.
Mr. Biswajit Manna
... for the petitioner

Mr. Madhusudan Sur, Ld. APP
Mr. Manoranjan Mahata
... for the State

Heard Mr. Mukherjee, learned senior counsel for the petitioner and Mr. Sur, learned counsel representing the State.

The explanation given in the application for restoration of the revisional application is found to be satisfactory and I am inclined to restore this revisional application to its original file by recalling the order dated 16th August, 2022 with this CRAN 2 of 2023 is disposed of.

This revisional application was filed challenging the judgement passed in criminal revision No. 255 of 2011 passed by learned Additional District and Sessions Judge, Fast Track, Fifth Court, Bichar Bhawan thereby affirming the judgement and order passed by Metropolitan Magistrate, 10th Court, Calcutta in connection with T.R. Case No. 1107 of

2005 arising out of complaint case No. C/10003/2005 under Section 138 of the Negotiable Instrument Act.

During the pendency of the revisional application the Co-ordinate Bench of this Court was informed that parties had arrived to a settlement and learned Trial Court was directed by order dated 18th May, 2012 to verify the factum of compromise and to submit a report.

Pursuant to such direction learned 10th Court of Metropolitan Magistrate submitted a report stating inter alia that the parties have settled the disputes amicably out of Court. The complainant acknowledged the receipt of a sum of rupees five lakhs.

Learned Trial Court, however, indicated that the entire cheque amount was not paid. Since the parties are found to have settled their disputes amicably out of Court. I do not find to stand in the way. Factum of compromise has taken the sting out of the order by which the warrant of arrest was issued by learned Trial Court. The said order and the proceeding before the learned Trial Court stands quashed.

This revisional application is thus disposed of.

(Siddhartha Roy Chowdhury, J.)