

28.07.2023
Serial no. 84
[G.S.D]

CRR 1141 of 2021
With
CRAN 1 of 2021

In the matter of : Rupak Dutta

... .. Petitioner

Mr. Suman De
Mr. A. Mukherjee

... for the petitioner

Mr. Swapan Banerjee
Ms. Purnima Ghosh

... *For the State*

Mr. Abhra Mukherjee
Mr. Sauradeep Dutta
Mr. S.K. Mondal

... for the O.P. No.2

Learned Advocate for the complainant/o.p. submits that he has received an amount of Rs.1 lakh, which was the outcome of the sentence as imposed by the Learned ACJM, Haldia, Purba Medinipur in CR 110 of 2015 and affirmed by the Learned Additional Sessions Judge, Fast Track Court, Haldia by its Judgment and Order dated 19.3.2021 in Criminal Appeal No. 7 of 2016.

Supplementary Affidavit has been filed on behalf of the petitioner enclosing a demand draft which has been handed over to the complainant.

The amount of Rs.50,000/- was already paid.

Having regard to the fact that the complainant has no grievance after receiving the amount, so directed to be paid by the Learned Trial Court, I am of the opinion that further sentence so imposed upon the present petitioner, be quashed.

The Learned Trial Court is directed to record in his findings that in this case, sentence is reduced to the amount of Rs.1 lakh by way of compensation paid to the complainant which has been deposited before this Court.

With the above directions, CRR 1141 of 2021 is disposed of.

Pending application(s), if any, is also disposed of.

Let the Lower Court records be returned to the Learned Trial Court as well as the Learned Appeal Court.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)