

14.03.2023

Item No.16
Ct.No.34
dc.

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

C.R.R. 1190 of 2021

**Sri Shyamal Mahapatra
versus
The State of West Bengal & Anr.**

In Re: An Application under Sections 401/482 of the Code of Criminal Procedure.

Mr. Suman De,
Mr. Abhinaba Mukherjee ... For the Petitioner.

An affidavit has been filed by Mr. Suman De, learned advocate appearing for the petitioner. A sum of Rs.25,000/- has been deposited before the learned trial court. Let the said affidavit be kept with the record.

Records reflect that earlier a sum of Rs.25,000/- was paid by way of Demand Draft.

The records of the case reflect that the learned Magistrate was pleased to impose fine of Rs.50,000/- and also directed the petitioner to suffer simple imprisonment for two days.

In view of the amount of Rs.50,000/- being paid, I am of the opinion that the sentence so imposed in the judgement and order dated 10.11.2016 passed in CR No. 04 of 2004 affirmed by the learned Additional Sessions Judge, Fast Track Court at Haldia, Purba Medinipur be reduced to the amount of fine which has already been deposited.

So far as the sentence of imprisonment of two days is concerned, the same is quashed.

The complainant would be at liberty to withdraw the amount of Rs.25,000/- from the court of the learned Judicial Magistrate, 1st Class, Haldia, Purba Medinipur as earlier directed in the order dated 01.03.2023.

With the aforesaid observations, the revisional application being CRR 1190 of 2021 is disposed of.

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

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

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

(Tirthankar Ghosh, J.)