

09 10.10.
2023
Ct
237
rup

CRR 1213 of 2015
IA NO: CRAN 3 of 2015 (Old No: CRAN 4469 of 2015)
CRAN 4 OF 2017 (Old No: CRAN 3835 of 2017)
CRAN 5 of 2023

Barun Bera & Anr.
Vs.
Dipankar Pan & Arn.

Mr. Sk. Jayed Hossain,
Ms. Afreen Begum ... for the petitioners.

Mr. Srinjoy Das,
Mr. Kiran Roy,
Ms. Sanjukta Mukherjee
... for the opposite party.

Mr. Narayan Prasad Agarwala,
Mr. Pratick Bose ... for the State.

1. Both the learned advocates appearing on behalf of the petitioners as well as opposite party is present and emphasized on a compromise petition by and between the parties on the ground of payment of entire compensation amount including the amount of cheque in dispute.
2. Both the learned advocates appearing on behalf of the parties have submitted to pass order compounding the offences.
3. The case under Section 138 of the Negotiable Instruments Act was initiated at the instance of complainant for dishonored of cheque. Learned Judicial Magistrate, 2nd Court, Raghunathpur, Purulia disposed of the application and accused were found

guilty of committing offence under Section 138 of the Negotiable Instruments Act. Accordingly they were sentenced to suffer simple imprisonment for a period of six months and to pay fine of Rs.3,00,000/-

4. From the orders recorded by this Court, it is found that complainant already received all the amount of Rs.3,00,000/- including cheque amount of Rs.1,93,333/- . At this stage both the parties to this revisional application patched up the differences by making all the payments. Therefore, I find no difficulty in passing the order for compounding the offence invoking Section 147 of the Negotiable Instruments Act.
5. In the result the CRAN 5 of 2023 stands allowed.
6. Both the petitioners/accused are acquitted and discharged from their respective bail bonds.
7. Accordingly, CRAN 5 of 2023 stands disposed of.

CRR 1213 of 2015

8. Pursuant to the order passed in CRAN 5 of 2023, the revisional application stands disposed of accordingly.
9. All pending applications, if there be any, also stand disposed of.
10. All parties to this revisional application shall act on the server copy of this order downloaded from the official website of this Court.

11. Urgent photostat certified copy of the order, if applied for, be given to the parties on usual undertakings.

(Bibhas Ranjan De, J.)