

11-08-2023
subha
Item no. 53
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 1988 of 2023

Debabrata Ghosh
-versus-
Smt. Meruka Das

Mr. Palash Mukherjee
....for the petitioner.

The petitioner is aggrieved by the factum of interim compensation being granted to the tune of 10% of the amount of the cheque.

Learned advocate submits that a sum of Rs.60,000/- was directed as interim compensation to be paid however, the salary account of the petitioner has been attached and as such he is unable to pay.

In view of such submission made by the petitioner, I direct the employer of the present petitioner and/or the authorities, be it the police authority/the Navy Authorities to release the sum of Rs.60,000/- from the account which has been attached for complying the directions passed by the learned Magistrate, 3rd court, Chandannagore in C. R. Case No. 457 of 2021 vide order dated 28.03.2023. So far as the other issues relating to the merits of the case regarding the averments made in the petition of complaint and/or the legally enforceable debt or liability is concerned, the same would be considered by the learned trial court in course of the trial.

No interference is made in respect of the order passed

under Section 143A of the Negotiable Instruments Act. Parties would be at liberty to canvass the issues in course of the trial.

With the aforesaid observations, the present revisional application being CRR 1988 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

Urgent Photostat certified copy of this order, if applied for, be given to the parties on completion of usual formalities.

[Tirthankar Ghosh, J]