

Item-
50. 20.12.2023
Aloke Court-34

C.R.R. 3257 of 2022

**Pradip Kumar Gupta
Versus
Biswajit Chakraborty**

Ms. Minoti Gomes
Ms. Dona Sanayal
Mr. Dibyajyoti Raha
...for the petitioner
Mr. Sankar Biswas
Ms. Ananya Adhikary
... for the opposite party

Supplementary affidavit filed by the opposite party be kept with the record.

The amount of Rs.3,75,000/- has been received by the petitioner.

The revisional application has been preferred challenging the order dated 28.04.2022 filed by the learned ACJM, Alipore, South 24 Parganas in connection with the complaint case no. 2553 of 2002.

The genesis of the case relate to the provisions of Section 138 of the Negotiable Instruments Act. Records reflect that the case was initiated for dishonour of a cheque of Rs.5,00,000/-. The compensation awarded was Rs.5,25,000/-. At the time of admission of the appeal before the learned Sessions Judge an amount of Rs.1,50,000/- was deposited by the opposite party. Subsequently, before this Court three drafts of Rs.1,25,000/- aggregating to a sum of Rs.3,75,000/- have been paid to the complainant.

Having considered the total amount of fine/compensation

having been paid, I am of the opinion that further proceedings are unwarranted.

Accordingly, any proceeding arising out of complaint case no. 2553 of 2002 (T.R. No. 68 of 2003) is hereby quashed.

If the opposite party is on bail he shall be discharged from the bail bonds.

With the aforesaid observation, CRR 3257 of 2022 is disposed of.

Pending 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.

(Tirthankar Ghosh, J.)

