

Form J(1)

**IN THE HIGH COURT AT CALCUTTA  
Criminal Revisional Jurisdiction  
Appellate Side**

**Present :  
The Hon'ble Justice Bibek Chaudhuri**

**CRR 3627 of 2022**

**Subrata Karmakar  
Vs.  
Nepal Chandra Mahata and Anr.**

Mr. Tapan Dutta Gupta  
Mr. R. Chatterjee  
..for the petitioner

**Item No.30**

**Heard & Judgment on: 20.04.2023**

**Bibek Chaudhuri, J.**

The petitioner has approached this Court assailing an order dated 25<sup>th</sup> April, 2022 passed by the learned Judicial Magistrate, 2<sup>nd</sup> Court at Balurghat, Dakshin Dinajpur in Complaint Case No. 30/2019.

In the said proceeding an application was filed by the accused under Section 147 of the Negotiable Instruments Act praying for compounding the offence.

It is learnt from the submission made by Mr. Dutta Gupta that the said case could not be compounded as the complainant disputed about the dues which he entitled to get from the accused.

I do not find any illegality in the order dated 25<sup>th</sup> April, 2022.

However, since the accused /petitioner wants to compromise the instant dispute between him and the complainant, the learned Magistrate is directed to send the case record to a mediator for amicable settlement in respect of the dues which the accused is obliged to pay. If the accused pays the admitted dues, the matter will be compounded. However, if there remains the dispute, the complaint case shall continue.

With the above order, the instant revision is disposed of.

**(Bibek Chaudhuri, J.)**