

07.07.2023

Item No.57
Ct.No.34
dc.

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

C.R.R. 3707 of 2022

**Meer Fayjul Hossen @ Meer Fayjul
versus
The State of West Bengal & Anr.**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed in connection with Complaint Case No. 842 of 2018 pending before the learned Judicial Magistrate, 5th Court, Krishnagar, Nadia.

Mr. Dipanjan Chatterjee,
Mr. Debraj Shil

... For the Petitioner.

Learned advocate appearing for petitioner is aggrieved by the fact of the quantum of interim compensation as also the manner in which the cheques have been misutilised by the Finance Company. So far as the issues relating to misutilisation of the cheques are concerned, this Court will not interfere with questions relating to facts. The same is kept open for the learned trial court to consider at the appropriate stage.

So far as the quantum of interim compensation under Section 143A of the Negotiable Instruments Act is concerned, I direct that the petitioner shall pay 10% of the cheque amount by 28.07.2023.

In case, the petitioner was earlier granted bail, the petitioner would continue on the same bail and bond and execution of the warrant of arrest, if any, be kept in abeyance till 04.08.2023. If the petitioner appears before the court, then in that case, the learned trial court would recall the warrant of arrest earlier issued.

With the aforesaid observations, the revisional application being CRR 3707 of 2022 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties including the learned Trial Court 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.)