

D/L396
02.08.2023
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C.R.A. (SB) 157 of 2022

Naba Kumar Sarkar
Versus
Rajib Chattopadhyaya @ R. Chattopadhyaya and another

Mr. Sabir Ahmed
Mr. Tashim Ahamed
Mr. Dhiman Banerjee.
...for the appellant.

Mr. Bibaswan Bhattacharya.
...for the State.

Mr. Amit Ranjan Pati.
...for the respondent no.1.

Affidavit filed by the private respondent no.1 be kept with
the record.

Mr. Ahmed, learned advocate appearing for the appellant
submits that the cheque amount which was the subject matter of
C.R. Case No.311 of 2017 have been paid and, as such, the
appellant do not intend to proceed with the merits of the case.

There was an order of acquittal passed by the learned
Magistrate court/trial court.

Having regard to the payment which has been received
by the complainant, I am of the view that the judgment and order
dated August 22, 2022 passed by the learned Additional Chief
Judicial Magistrate, Durgapur, Paschim Bardhaman be not
interfered with. The respondent no.1 undertakes that he will not
contest for recovery of the amount which has been handed over to

the complainant in any forum.

With the aforesaid observations, CRA (SB) 157 of 2022 is allowed.

Pending application, if any, is consequently disposed of.

Department is directed to sent back the lower court records immediately before the learned trial court.

All parties 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 of all requisite formalities.

(Tirthankar Ghosh, J.)