

Sl No.

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

Present:

The Hon'ble Justice Ananya Bandyopadhyay

**C.R.R. 3165 of 2013
With
CRAN 1 of 2013 (Old No. CRAN 3127 of 2013)**

***Anadi Brahmachari @ Anadi Kumar Brahmachary
Vs.***

Sandhya Mohanti.

Mr. Navanil De
Mr. Rajeshwar Chakraborty

.... for the petitioner.

Mr. Harpal Singh
Ms. Anasua Biswas
Mr. Sayantan Bhattacharya

.... for the opposite party

Judgment on : 14.09.2023

Ananya Bandyopadhyay, J. :-

Being aggrieved by the order and judgment dated 26th June, 2013 passed by learned Additional Sessions Judge, Bankura, the instant revisional application had been filed by the petitioner. The learned Judicial Magistrate, 2nd Court, Bishnupur in connection with Case No. 8C of 2009/120T of 2009 under Section 138 of the Negotiable Instruments Act, 1881 directed the petitioner to pay Rs. 1,45,000/- to the complainant as compensation. The appellant was further directed to surrender before the learned trial Court within 15 days from the date of receipt of the lower

court record along with a copy of the judgment and to make payment of the compensation amount of Rs. 1,45,000/- to the opposite party failing which the learned trial court shall have the liberty to go on against the petitioner in accordance with the relevant provision of law in connection with Criminal appeal No. 28 of 2010.

During the pendency of the revisional application the petitioner has paid a sum of Rs. 1,45,000/- to the opposite party/Bank.

The opposite party has filed an affidavit stating the receipt of the aforesaid amount of Rs.1,45,000/- as mentioned in Paragraphs 3 and 4 of the affidavit dated 04.09.2023. Let the said affidavit be kept on record.

According to Section 147 of the N.I. Act notwithstanding anything contained in the Cr. P.C., every offence punishable under N.I. Act shall be compoundable.

According to Section 320(6) Cr.P.C., the High Court or Court of Sessions while exercising its powers of revision under Section 401 Cr. P.C. may allow any person to compound any offence, which such person is competent to compound under this Section. When the composition of offence under the Section is made, it shall have the effect of an acquittal of the accused with whom the offence has been compounded under Section 320(8) of Cr.P.C.

In view of Section 147 of the N.I. Act the dispute between the parties have been resolved. The petitioner i.e. **Anadi Brahmachari @ Anadi Kumar Brahmachary** is acquitted accordingly and set at liberty.

This criminal revision application being CRR 3165 of 2013 is disposed of as above.

All parties shall act on the server copy of this judgment duly downloaded from the official website of this court.

(Ananya Bandyopadhyay, J.)