

19.01.2024

(13-15)

(ap)

C.R.R. No. 2182 of 2022

With

C.R.R. No. 1821 of 2022

With

C.R.R. No. 254 of 2022

In re : Sudip Mitra & Ors.

..Petitioners.

Re: Application under Section 401 read with Sections 482/483 of the
Code of Criminal Procedure, 1973 filed on 28.06.2022

Mr. Rajnil Mukherjee,
Ms. Debolina Sarkar,
Ms. Satabdi Dey,
Mr. Subham Das.

...for the petitioners.

Mr. Debasish Roy, Id. P.P.
Ms. Debjani Sahu.

...For the State.

Mr. Malay Bhattacharya,
Mr. Pradip Paul,
Ms. R. Dey.

...For the opposite party no.2.

1. It is submitted by the Counsel for the petitioners that his clients are willing to pay a total sum of Rs.8,00,000/- as full and final maintenance amount payable to the opposite party no.2/wife, Anwesha Biswas (Mitra). Learned Counsel for the opposite party wife accepts the same.

2. Let a sum of Rs.1,00,000/- be paid into the Bank Account of Ms. Anwesha Biswas (Mitra) in course of the day. The balance sum of Rs.7,00,000/- shall be paid mandatorily and positively by 15th February, 2024.

3. Counsel for the petitioners also undertake before this Court to return all the Stridhan articles. The Gold Ornaments are already lying in the locker of the Bank of India at Head Post

Office, Midnapore Branch in the custody of the opposite party no.2/wife.

4. The balance Stridhan articles are a flat lying in Meghdhoot Apartment at Jhargram. The opposite party no.2/wife shall collect the same from the flat and hand over the keys of the flat and consequential possession thereof to the petitioners.

5. With the aforesaid directions recorded by consent of the parties and upon payment of a sum of Rs.1,00,000/- and balance sum of Rs.7,00,000/- within the time indicated hereinabove, the proceedings in connection with G.R. Case No. 686 of 2013 now pending before the learned Additional District & Sessions Judge, Jhargram, C.R. Case No. 349 of 2018 now pending before the learned Judicial magistrate, 4th Court at Paschim Medinipur and G.R. Case No. 156 of 2015 now pending before the learned Sessions Judge, 1st Court at Jhargram shall stand quashed and set aside.

6. In default of payment of any of the two aforesaid sums within the time indicated hereinabove, the three cases shall stand automatically revive and further proceedings shall continue thereunder.

7. Ms. Anwesha Biswas (Mitra) through her Counsel also undertakes that upon receipt of payment as above, she will not press the appeal being F.A.T. No. 426 of 2023 pending before the High Court at Calcutta.

8. With the aforesaid directions, C.R.R. No. 2182 of 2022, C.R.R. No. 1821 of 2022 and C.R.R. No. 254 of 2022 are disposed of.

9. Urgent photostat certified copy of this order, if applied for, be supplied to the parties as early as possible.

(Rajasekhar Mantha, J.)

