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CRR No. 3603 of 2024
(CRAN 1 of 2024, CRAN 2 of 2024)
In Re: Ujjal Pramanick

Mr. Prantick Ghosh
Mr. Prasad Bhattacharyya
... For the Petitioner
Mr. Sabir Ahmed
T. Ahmed
Mr. Dhiman Banerjee
... For the Opposite Party no. 1

Re: CRAN 1 of 2024

The petitioner seeks condonation of delay of 123 days in filing the revisional application.

Heard learned counsels for the parties.

Learned counsel for the opposite party no. 1 raised objection to the said application.

Good grounds being shown, the delay is condoned.

CRAN 1 of 2024 is disposed of.

Re CRR 3603 of 2024

Heard learned counsels for the parties.

By a judgment delivered on 3rd June, 2022 in C. Case no. 140 of 2017 the learned Judicial Magistrate, 4th Court, Barrackpore convicted the petitioner for offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and sentenced him to suffer simple imprisonment for five years and pay fine of Rs. 4,00,000/- within one month from the date of the order, in default to suffer simple imprisonment for one year. The judgment was carried in appeal by the petitioner and by judgment delivered on 19th January, 2024 in Criminal Appeal no. 34 of 2022, the learned appellate Court, being the learned

Additional Sessions Judge, Fast Track, 3rd Court, Barrackpore, affirmed the order of the learned trial Court. The petitioner was arrested upon non-compliance of the order and is in custody since 6th August, 2024. The petitioner has come up before this Court against the concurrent findings of the learned Courts and seeks to pay the due amount of Rs.4,00,000/- in instalments.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that the petitioner shall deposit an amount of Rs. 2,00,000/- before the learned trial Court within tomorrow (13.09.2024). Upon depositing such amount, the petitioner shall be released by the learned trial Court in accordance with law. The remaining amount shall be deposited by the petitioner before the learned trial Court within one month from date. The amount already deposited by the petitioner before the learned appellate Court at the time of filing the appeal shall be adjusted with the final amount. The opposite party is at liberty to withdraw the amount deposited by the petitioner before the trial Court.

Since nothing further remains to be adjudicated in this revisional application, the same is disposed of.

Consequently, CRAN 2 of 2024 is disposed of.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)