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to
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10.09.2025
Bd.
Ct. 29

**CRR 844 of 2019
CRAN 2/2019, CRAN 7/2023**

**Kaushik Dasgupta
Vs.
State of West Bengal & Anr.
with**

**CRR 4377 of 2022
CRAN 1/2022
Kaushik Dasgupta
Vs.
State of West Bengal & Anr.
with
CRR 845 of 2019**

**Kaushik Dasgupta
Vs.
State of West Bengal & Anr.**

Ms. Sreeparna Das
Mr. Aditya Ratan Tiwari ...for the Petitioner

Mr. S.S. Roy
Ms. Neelam Kumari
Mr. Amarnath Agarwal ... for the O.P. no. 2

Learned counsel appearing on behalf of the petitioner submits that this Court by its order dated 11th August, 2025 recorded that the total cheque amount in connection with CRR 844 of 2019, CRR 4377 of 2022 and CRR 845 of 2019 is 10,25,000/- out of which the petitioner admittedly paid Rs. 2,90,000/- earlier and the petitioner wanted to pay the rest amount of Rs. 7,35,000/- through bank draft.

Today the petitioner who was convicted by both the courts below has handed over a bank draft of Rs. 7,35,000/-, copy of which has been placed in the record to learned counsel appearing for the opposite party no. 2, Deepak Kumar Kantilal.

Mr. S.S. Roy, learned counsel appearing on behalf of the opposite party no. 2 on instruction submits that the complainant of the above mentioned three applications have received the bank draft and therefore the complainant Deepak Kumar Kantilal wants to compound the offence.

It is trite law that offences under section 138 of N.I. Act could be compounded at any stage, including post conviction, the only rider is that compounding under section 147 of the N.I. Act requires the complainant's consent. In the instant case complainant's/opposite party's counsel on receiving bank draft submits that his client has given consent to compound all the three offences. I do not find any reason to discourage such out of court settlement in cheque dishonor cases.

Having heard learned counsel appearing on behalf of the petitioner and the opposite party no. 2, let the offences in connection with CRR 844 of 2019, CRR 4377 of 2022 and CRR 845 of 2019 are hereby compounded, exercising this Court's jurisdiction under section 320(6) of the Cr. P.C. read with section 147 of the N.I. Act.

The impugned judgment of conviction and sentence against petitioner herein in connection with aforesaid three applications are hereby set aside.

In such view of the matter, the petitioner in connection with CRR 844 of 2019, CRR 4377 of 2022 and CRR 845 of 2019 is hereby acquitted.

CRR 844 of 2019, CRR 4377 of 2022 and CRR 845 of 2019 and all the connected applications, are accordingly disposed of.

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

(Dr. Ajoy Kumar Mukherjee, J.)