

20.08.2025
Item No.51
Ct. No. 446
PG

C.R.R. 1212 of 2015
With
I.A. No. CRAN 3 of 2015(Old CRAN 4468 of 2015)
With
I.A. No. CRAN 5 of 2024

Barun Bera & Anr.
Vs.
Bhagirath Chowdhury & Ors.

Mr. Srinjoy Das
Mr. Aritra Ghosh
Mr. Jagriti Bhattacharya..... for the opposite parties

1. Learned advocate on record of the opposite parties is present in Court and also submits that the entire amount has been paid in equal shares to all the legal heirs of the deceased person and there is nothing remains to be paid. At this stage, it is submitted that there is no objection if the matter is disposed of.
2. Heard the submission and perused the record. This revisional application has been filed against the judgment dated 25.02.2015 passed by the learned Sessions Judge, Purulia in Criminal Appeal No. 05 of 2014 affirming the order of conviction and sentence passed by the learned Additional Chief Judicial Magistrate, 2nd Court, Raghunathpur, Purulia in complaint case no. 39 of 2012 under section 138 of the Negotiable Instrument Act.
3. On perusal of the judgment, it is seen that the sentence passed by the learned Additional Chief Judicial Magistrate, 2nd Court, Raghunathpur, Purulia is to pay fine of Rs.

3,00,000/- and to undergo simple imprisonment for a period of six months. Out of the fine amount Rs.3,00,000/- shall be paid to the complainant as compensation. At present, the said amount has already been paid.

4. It was further directed that the fine amount shall be paid by the accused within 30 days from that date in default thereof, shall be sentenced to further simple imprisonment for two months.
5. Since the entire amount is paid and the legal heirs of the *de facto* complainant have received their respective shares, nothing remains for adjudication.
6. Hence, in view of the above facts and circumstances and since the case was filed under Section 138 of the N.I. Act, there is no reason to continue with this revisional application.
7. Accordingly, the criminal revisional application alongwith connected applications stand disposed of.
8. In view of the compliance, there is no need to go for further imprisonment and that part of the order is hereby set aside.
9. Department is directed to send a copy of this order to the learned Trial Court for intimation and taking necessary action.
10. All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Chaitali Chatterjee (Das), J.)

