

25.06.2026

Sl.No. 1

Ct. 39

Amalranjan

In The High Court At Calcutta
Criminal Revisional Jurisdiction
Appellate Side

CRR 138 of 2022

With

CRAN 24 of 2026

M/s. Krishna and Associates Pvt. Ltd and ors.

Vs

The State of West Bengal and anr.

Mr. Anirban Mitra

Mr. Amit Halder

Mr. Amit Roy

Ms. Madhumita Sadhukhan.....for the petitioners

Mr. Kaushik Banerjee

Ms. Rashmita Sen

Ms. Sarbanifor the o.p. 2

Re: CRAN 24 of 2026

1. On consent of the parties, the joint compromise application being **CRAN 24 of 2026** is taken up for hearing treating the same as on day's list.
2. The joint compromise application has been filed by the parties contending therein that both parties have settled the dispute out of court and the amount awarded by the Trial Court i.e., Rs. 12 Lakhs has already been paid to the opposite party/complainant in the manner as follows:-
Firstly, Rs. 10 Lakhs was deposited before the Trial Court in view of the order passed by the co-ordinate Bench and secondly, Rs. 2 Lakhs has been paid through the Bank Draft directly to the opposite party/complainant.

3. The opposite party/complainant has satisfied with the amount and does not have any objection if the matter may be disposed of applying on inherent power under Section 482 of the CrPC corresponding to Section 528 of BNSS.
4. This Revisional application is filed against the judgment and order dated 06.12.2021 passed by the learned Additional & Sessions Judge, 1st Track Court, Bichar Bhawan, Kolkata in Criminal Appeal No. 149/2021 in CNR-WBC SOI-0001003 – 2021 arising out of the judgment and order passed by the learned Metropolitan Magistrate Court, Calcutta in Case No. C-927/96 on 13.03.2000 under Section 138 of the Negotiable Instruments Act thereby convicted the accused persons.
5. This Court feels there is no need to keep this criminal Revisional application pending any further, when the matter has been settled. There is no impediment to allow such application for compromise in the case pending under section 138 of the N.I. Act. The Hon'ble Supreme Court has time and again reiterated that at any stage, even at the appellate stage the case may be compounded on the basis of compromise as permitted by the statute.
6. The Hon'ble Supreme Court held in the case of **B. V. Seshaiiah -versus- The State of Telengana & Anr.** reported in **(2023) 18 SCC 512** that the Petitioner cannot be convicted on the basis of the orders passed by the

Courts below, as the settlement is nothing but a compounding of the offence as permitted by the statute.

7. In view of the above facts and circumstances of the case, the revisional application being **CRR 138 of 2022** is disposed of.
8. Impugned judgment and order dated 06.12.2021 passed by the learned Additional & Sessions Judge, 1st Track Court, Bichar Bhawan in Criminal Appeal No. 149/2021 in CNR-WBC SOI-0001003 – 2021 arising out of the judgment and order passed by the learned Metropolitan Magistrate Court, Calcutta in Case No. C-927/96 on 13.03.2000 under Section 138 of the Negotiable Instruments Act is hereby set aside.
9. Consequently, the application being **CRAN 24/2026** is, thus, disposed of.
10. Interim order, if any, stands vacated.
11. Let the order be communicated to the Ld. Court below for information.
12. All parties shall act in terms of the copy of this order duly downloaded from the official website of this court.
13. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Ajay Kumar Gupta, J.)