

Present: Kaustabh Bandyapadhyay, Ld. J.M., Haldia, Purba Medinipur.

J.O No.WB01463

CR No.338 of 2019

CIS 338/2019

CNR No. : WBEM08-001409-2019

Order dated 11/06/2026

Today is fixed for delivery of judgment.

The sole accused person is present.

Complainant is also present. Ld.Advocates for both sides are present.

This is 12:15 pm right now.

The record is taken up for delivery of judgment.

The judgment is ready and delivered in open Court in presence of both sides and the sole accused person.

Hence, it is

o r d e r e d ,

that the accused **Dulal Pramanik** is **found guilty** of committing the offence punishable under Section 138 of the Negotiable Instruments Act. Accordingly, he is convicted under Section 255 (2) of the Code of Criminal Procedure,1973 for the offence committed under Section 138 of Negotiable Instruments Act,1881.

The accused is taken into custody.

This is an economic offence and if the accused is released on probation, the purpose of the Act would be frustrated. So, this Court would not like to take recourse of section 360 of Cr.P.C. or to release him on probation under the provision of Probation of Offenders Act. This Court further thinks that the accused should be punished according to law.

Accordingly, the accused is convicted of the offence under section 138 of Negotiable Instruments Act,1881 and the convict is sentenced to **simple imprisonment for a term of 01(one) month and also to pay compensation of Rs.5,20,000/-** (Rupees Five Lakhs Twenty Thousand only), **within thirteen months in equal monthly installments of Rs.40,000/- each starting from June, 2026, to the complainant.**

Contd.....

CR No.338 of 2019

Order dated 11/06/2026

contd.....

The cumulative amount in two cheques is Rs.4,00,000/- and more than five years (*almost six years*) have elapsed from the date of issuance of the cheques (**05.09.2019**) which merit imposition of interest to tune of 5% per annum which comes approx Rs.(400000 % 5 x 6)=Rs.1,20,000/- (for six years) totaling of Rs.5,20,000/- (Rupees Five Lakhs Twenty Thousand only) is awarded to the complainant.

The convict shall undergo simple imprisonment for a term of 01(one) year more, in default of the payment of such compensation in full, after thirteen months as explained before.

Let the copy of the judgment and order be given to the convict free of cost.

It is informed to the convict about his right to prefer appeal with legal aid and he responses that her Ld. Advocate will take appropriate steps. Let the copy of judgment be sent to the Ld. Chairman, S.D.L.S.C, Haldia for appointment of Ld. Advocate for the convict, if needed.

Let the copy of judgment be sent to the D.M., Purba Medinipur for information.

Thus, the case is disposed of on contest.

Dictated & Corrected by me.

SD/-

(Kaustabh Bandyapadhyay)
Judicial Magistrate, Haldia.

SD/-

Judicial Magistrate, Haldia
Purba Medinipur
11/06/2026