

**HIGH COURT OF TRIPURA
AGARTALA**

Crl. Petn. 42 of 2021

For Petitioner(s) : Mr. T.D.Majumder, Sr. Adv.
Mr. B.Debnath, Adv.
Mr. T.Halam, Adv.

For Respondent(s) : Mr. R.Datta, PP.
Mr.T.Debbarna

B E F O R E

THE HON'BLE MR. JUSTICE S. G. CHATTOPADHYAY

O R D E R

29.09.2021

[1] Both these Criminal Petition No.06 of 2021 and Criminal Petition No.41 of 2021 are arising out of the same order dated 30.06.2021 passed by this court in Crl.Rev.P.No.6 of 2021 and Cr.Rev.P.No.7 of 2021. By a common order, the criminal revision petitions filed by Smt.Sangita Sharma (Dhyani) were disposed of by this court observing as under:

“[28] Considering the amount of liability of the accused towards the complainant respondent and considering the peculiar facts and circumstances of the case, I find it appropriate to reduce the fine imposed on the accused by way of sentence to Rs.24,00,000/-. Consequently, the sentence imposed on the petitioner by the trial Court and affirmed by the appellate Court is modified as under:

Accused petitioner Smti Sangita Sharma (Dhyani) is sentenced to fine of Rs.24,00,000/-(twenty four lakhs) and in default of payment of fine she will suffer S.I for six months. Fine money, on realisation, be paid to the complainant respondent in full. Accused

petitioner is directed to deposit the said amount of fine in Court within a period of two months from today failing which the trial Court shall takes steps in accordance with law to make her suffer the default sentence.

[29] In terms of the above, both the criminal revision petitions being Crl. Rev. P. No.06/2021 and Crl. Rev. P. No.07/2021 are disposed of by this common judgment.

Pending application(s), if any, shall also stand disposed of.”

[2] It has been submitted on behalf of the petitioner that the petitioner has not yet preferred any appeal against the said order and she has decided not to challenge the order in appeal. She only urges the court to allow her 4 months time on the ground of financial constraint to make the payment of fine in terms of the order of this court. Mr.T.Debbarma, learned advocate appearing for the private respondent submits that the petitioner has already taken a lot of time in complying with the order of this court. Counsel therefore, opposes the proposal of the petitioner.

It is also submitted by Mr.Debbarma, learned advocate appearing for the private respondent that the respondent has also declined not to challenge this order in appeal.

[3] Heard Mr.Ratan Datta, learned PP, appearing for the state respondent. In view of the contents of the petition submitted on behalf of the convict petitioner and the submissions made by counsel and

materials available on record, 3 months' time is allowed to the convict petitioner to pay whole amount of penalty to the private respondent by depositing the same in the trial court.

[4] It is submitted by Mr.Datta Majumder, learned Sr.Advocate that the trial court has already issued arrest warrant against the convict petitioner. Since it is assured on behalf of the petitioner that the petitioner will comply with the order within 3 months by making payment of the penalty amount to the respondent, the arrest warrant issued against her shall be recalled by the trial court.

Communicate this order to the learned trial judge.

In terms of the above, the petition stands disposed of.

JUDGE

