

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

CRR 3196 of 2018

M/s. S.K. Khemka
Vs.
Securities and Exchange Board of India (SEBI)

Mr. P.K. Dutt
Mr. S.K. Dutt
Mr. Syamantak Banerjee

... For the opposite party/SEBI

1. None appears on behalf of the petitioner.
2. Mr. Syamantak Banerjee, learned advocate on behalf of the opposite party (SEBI) appears and submits that the dispute has already been compounded between the parties and in support of his contention, he has filed one certified copy of the order No.44 dated 22nd September, 2023 in connection with SEBI/38/3017 (SEBI v. S.K. Khemka & Ors.) which is taken on record.
3. From the record, it is found that the revisional application was filed under Section 401 of the Code of Criminal Procedure challenging the Order No.15 dated 8th August, 2018 passed by the learned Judge, 5th Special Court, City Sessions Court at Calcutta in SEBI Case No.38 of 2017, whereby the learned Special Judge affirmed the order passed in Adjudication

Order No.VSS/AO-32/2009 dated 20th March, 2009 imposing penalty of Rs.3,00,000/- by the Adjudicating Officer.

4. Being aggrieved, the instant revisional application has been filed.

5. The certified copy of the Order No.44 dated 22nd September, 2023 in connection with SEBI/38/3017 shows that petitioner already satisfied penalties remittable to the Government of India.

6. Accordingly, learned Judge, 5th Special Court, Calcutta compounded the offence under Section 24(2) and 27 of the SEBI Act, 1992 and the petitioner/accused was acquitted from this case and also discharged from his bail bond.

7. In the aforesaid view of the matter, the instant revisional application stands dismissed being infructuous.

8. All parties to this revisional application shall act on the server copy of this order downloaded from the official website of this Court.

(Bibhas Ranjan De, J.)