

GAHC010131052024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Pet./780/2024

TRANS VIRTUAL PRIVATE LIMITED
REPRESENTED BY ITS MANAGING DIRECTOR, SRI BISWAJIT HAZARIKA
HAVING PRINCIPAL OFFICE AT 1ST FLOOR, GOLDEN WOODS, R.G.
BARUAH ROAD, SUNDARPUR, P.O. AND P.S.-DISPUR, GUWAHATI-6

VERSUS

THE STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:DR LAL CHAND JOSHI
S/O KEDARNATH JOSHI
R/O SARASWATI VIHAR
GURUGRAM
GATE NO. 1
P.S.-GURUGRAM
HARYANA
INDIA
PIN-122002
ALSO R/O 861
SARASWATI VIHAR
NEAR M.G. ROAD METRO STATION
VEER SAVARKAR BLOCK
P.S.- GURUGRAM
DIST- GURGAON
HARYANA
PIN-12200

Advocate for the Petitioner : MR S P DAS

Advocate for the Respondent : PP, ASSAM

**BEFORE
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND**

ORDER

16.07.2024

1. Heard learned counsel Mr. S. P. Das for the petitioner Biswajit Hazarika representing Trans Virtual Private Limited. Also heard Mr. B. B. Gogoi, learned Additional Public Prosecutor, Assam for the respondent State.
2. Learned Additional Public Prosecutor has accepted notice on behalf of respondent No. 1 and thus no formal notice is required to be issued.
3. It is submitted on behalf of the petitioner that an ex-parte order may be passed without issuing notice to respondent no. 2 as this matter is of urgent nature. The original case is registered as CR Case No. 3419/2019 under Section 138 of the N.I. Act.
4. It is further submitted that vide order dated 17.05.2024, the next date was fixed by the learned Magistrate on 03.10.2024 which will procrastinate this case. The petitioner will be highly prejudiced if this matter is deferred to a much later date.
5. I have considered the submissions at the Bar with circumspection. Vide order dated 17.05.2024, the next date is fixed on the distant month of October, and thus an order to prepone the date can be passed for judicious and expeditious disposal of the case.
6. The Trial Court is hereby directed to prepone the next date and fix a proper date within the month of August.
7. In terms of the above observations, petition is disposed of.

JUDGE

Comparing Assistant