

17.08.2026

Sl. No.752.

D/L.

Mithun.

Ct.No.29.

CRR/3086/2026

Sk. Sajahan

Vs.

Bivas Barui & Anr.

Mr. Siddhartha Paul

...for the petitioner

In this application, the petitioner has prayed for a direction upon the Court below for expeditious disposal of CR Case No.409 of 2019 under Section 138 of the Negotiable Instruments Act presently pending before learned Judicial Magistrate, 1st Court, Tamluk, Purba Medinipur.

Being aggrieved by the inordinate delay caused in disposal of the said proceeding, learned Counsel for the petitioner submits that the plea was taken by the Court below on 20th February, 2024 when the accused had pleaded not guilty and since then almost 2½ years have already passed but not a single witness could be examined so far. Therefore, he prayed for necessary direction upon the Court below.

Having heard learned Counsel for the petitioner, it appears that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer made therein, the opposite party will have no cause to prejudice and, as such, service of copy of application upon the opposite party is dispensed with.

Having considered the fact that the proceeding has got stalled for about 2 ½ years, I find that the prayer made by the

petitioner is justified and required to be allowed to secure the ends of justice.

In view of above, the instant application being CRR 3086 of 2026 is hereby disposed of with a direction upon the Court below to make every endeavour for expeditious disposal of the proceeding being CR Case No.409 of 2019, presently pending before learned Judicial Magistrate, 1st Court, Tamluk and to make his best effort to conclude the entire proceeding preferably within a period of six months from the next date of hearing.

The Court below shall also be at liberty to invoke its jurisdiction under Sections 84/85 of the BNSS in the event the accused/petitioner is found to have absconding to evade the trial.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)