

10.9.2026
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CRR 3603 of 2026

**Guidance Commercial Private Limited
Vs.
Durgapur Corporation Private Limited & Ors.**

Mr. Sourav Mondal
Mr. Arijit Bhuiya
Mr. Rony Mondal
Mr. Debarghyo Sil ...for the Petitioner

The petitioner being the company by its authorized representatives instituted the Complaint Case No. 606 of 2023 under section 138 of the Negotiable Instruments Act, 1881 presently pending before learned Judicial Magistrate, 5th Court, Alipore, South 24 Parganas.

The grievance of the petitioner is that the petitioner has initiated the aforesaid proceeding with the allegation of dishonor of cheque amounting to Rs. 8 crores against the opposite parties/accused persons but they are reluctant to appear and are seeking adjournment day after day and for which the case has not reached its logical conclusion till this date and the plea has not been taken by the trial court. Therefore, he submits that unless a time bound or otherwise expeditious schedule is directed by this Court there is a genuine apprehension that the opposite parties may continue to adopt dilatory tactics and the proceeding may remain pending for an indefinite period leading to violation of the petitioner's right to speedy trial under Article 21 of the Constitution of India.

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 parties will have no cause to prejudice and as such, the service of copy of application upon the opposite parties is hereby dispensed with.

Having considered the submission made on behalf of the petitioner and going through the certified copy of order sheets of the trial court it appears that the proceeding was initiated in the year 2023 and almost three years have already passed but the court below has not yet taken the plea, which causes serious prejudice to the complainant who is knocking the temple of justice to get redress, and therefore the prayer made by the petitioner is justified and is required to be allowed to secure the ends of justice.

In view of the above, the instant application being CRR 3603 of 2026 is hereby disposed of with a direction upon the court below to make every endeavour for expeditious disposal of the proceeding being Complaint Case No. 606 of 2023 and to make its best endeavour to conclude the entire proceeding preferably within a period of six months from the next date of hearing.

In the event, the opposite parties are trying to avoid the proceeding by absconding, the proceeding the court below will be at liberty to invoke jurisdiction under section 84/85 of the BNSS.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)