

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 3170 OF 2016**

T. Kannan s/o. Late Thippiah Naicker	...Petitioner
Versus	
M/s. Piramal Diagnostics Services Pvt. Ltd. & Anr.	...Respondents

Mr. S. S. Kumar i/b Mr. Firoz Ahmed for the Petitioner

Ms. Pallavi Dabholkar, A.P.P for the Respondent No.2-State

CORAM : REVATI MOHITE DERE, J.
MONDAY, 17th OCTOBER, 2016

P.C. :

1. Heard learned Counsel for the petitioner.

2. By this petition, the petitioner has sought the following prayer :

“a) Issue direction to the Learned VII Metropolitan Magistrate, Dadar at Mumbai to expedite the case, filed for commission of alleged offence under Section 138 of Negotiable Instruments Act in C.C. No. 24567/2008 within time, which may be stipulated by this Hon'ble Court.”

3. Learned Counsel for the petitioner submits that the case is of 2008 and that the respondent No. 1 (complainant) has been cross-examined by the petitioner and the matter was thereafter posted for recording the 313 statement of the petitioner. He submits that the respondent No.1 (complainant) has been delaying the case on some pretext or the other. He submits that the respondent No. 1 had filed an application seeking recall of the order of adjudication dated 2nd April, 2016. He submits that the said application was rejected by the trial Court. Learned Counsel further submits that there is no stay to the proceedings, either by the Sessions Court or by this Court. He submits that considering that the complaint is of 2008, the trial be expedited and be made time-bound.

4. Perused the papers. Learned Counsel for the petitioner has stated that there is no stay to the proceedings, granted either by this Court or by the Sessions Court. In that view of the matter, considering that the case is of 2008, the trial is expedited. The learned Judge shall make an endeavour to decide the case as expeditiously as possible and preferably within six months from the date of receipt of this order.

5. Petition is disposed of on the aforesaid terms.
6. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.