

23.09.2021
Ct No. 35
D/L 39
ab

C.R.R. 1861 of 2021
(Via Video Conference)

Re: An application under Sections 483 of the Code of Criminal Procedure, 1973.

In re : **Shubhendu Chatterjee,**

... Petitioner

Mr. Kushal Kumar Mukherjee,

... for the petitioner

This is an application for expeditious disposal of Complaint Case No. 223 of 2019, under Section 138 of the Negotiable Instruments Act, 1881, pending before the learned Judicial Magistrate, 3rd Court at Howrah.

It has been pointed out by the learned advocate appearing for the petitioner that the plea in this case has been recorded on December 4, 2019, and thereafter, there has been no effective progress in the trial.

It appears that the application under Section 205 of the Code of Criminal Procedure, 1973, filed by the opposite party nos. 1 and 2 was allowed on March 20, 2021, by the learned Magistrate in the Court below. By the said order, the learned Magistrate fixed the next date on May 21, 2021 for evidence.

It is the grievance of the petitioner that the evidence has not yet started.

In this pandemic situation, it is not expected that the learned Magistrate in the Court below shall proceed with the trial at a normal pace.

However, keeping in mind the innocuous nature of the prayer, this application is disposed of with a direction upon the learned Judicial Magistrate, 3rd Court, Howrah, to make an endeavour to expedite the trial and conclude the same as expeditiously as possible, preferably within a period of one and a half years from the resumption of the normal functioning of the Court.

Since this order will not prejudice the opposite party nos. 1 and 2, the revisional application is disposed of without serving any notice to them.

The revisional application being **C.R.R. 1861 of 2021** is, thus, disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the petitioner upon compliance with all necessary formalities.

(Kausik Chanda, J.)