

Form No. J(2)

IN THE HIGH COURT AT CALCUTTA
Criminal Appellate Jurisdiction
Appellate Side

Present:

The Hon'ble Justice Jay Sengupta

CRR 1731 of 2020

Dr. Samir Kumar Adhikari
Vs.
Subhojit Ghosh & Anr.

For the Petitioner : Mr. Kamalesh Bhattacharyya
Mr. Ashok Kumar Nath
Mr. Deepak Jain

For the opposite party 1 : Mr. Ajay Dutta
Mr. Bizendra Nath Manna
Ms. Arpita Basu

For the State : Mr. Imran Ali
Ms. Manasi Ray

Heard on: : 05th January 2021

Judgment on : : 05th January 2021

The Court:

Although, this is an application challenging the order dated 16.10.2020 passed by the learned Judicial Magistrate, 2nd Court, Barasat, North 24 Parganas in Case No. C-468/2019 under Section 138 of the Negotiable Instruments Act, learned senior counsel

appearing on behalf of the petitioner submits that the prime grievances of the petitioner are that the accused jumped bail and is not appearing regularly before the learned trial court, the Officer-in-Charge of the local police station has not complied with the order of the learned trial court and the impugned proceeding is getting protracted.

A report filed on behalf of the State about intimating the accused opposite party is taken on record.

Learned senior counsel appearing on behalf of the petitioner further submits as follows. Although the petitioner had filed the petition of complaint in the early part of 2019, the proceeding has not been concluded yet. The accused jumped bail and has not been regularly appearing before the learned trial court. Even the Officer-in-Charge of Garfa Police Station did not comply with the direction of the learned trial court regarding issuance of warrant of arrest against the accused.

Learned counsel appearing on behalf of the accused / opposite party no. 1 submits as follows. The accused has now surrendered before the learned trial court and obtained bail. The opposite party no. 1 undertakes to attend the learned trial court regularly.

Learned counsel appearing on behalf of the State submits that presently a new officer has joined as the Officer-in-Charge of Garfa Police Station.

I have heard the submissions of the learned counsels for the parties and have perused the revision petition.

It appears that some delay has occurred in the impugned proceeding. The accused seems to be primarily responsible for such delay.

In view of the above and in the interest of justice, the learned trial court is requested to conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties and by keeping in mind the statutory stipulation about expeditious conclusion of proceeding under the said act.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta,J.)