

25.02.2021
SL No.8.
Ct. No.1
S.D.

**CIRCUIT BENCH OF CALCUTTA HIGH COURT
AT JALPAIGURI
(Through Video Conference)**

C.R.R. 34 of 2021

In the matter of: **Jagadish Chandra Sarkar**

.....Petitioner.

Mr. Jaydeep Kanta Bhowmik

...For the petitioner.

Affidavit of service filed in Court be kept on record.

It appears that the service has been effected upon the opposite party. Though this application has been filed under the provision of Section 482 of the Cr.P.C., 1973 but the petitioner has sought for a direction to conclude the trial expeditiously within a specified period.

It is submitted that the petitioner is known to the opposite party since long period and had cordial relationship and the petitioner agreed to pay a sum of Rs.4,36,000/- to the opposite party towards friendly accommodation of loan and the loan was so given to the opposite party on 13.8.2017 with the verbal agreement that the opposite party would repay the amount within a short span of time by December 2017, but when the request was made by the petitioner to the opposite party, the opposite party did not pay any heed and on repeated request, opposite party issued two cheques bearing nos. 260129 & 260130 respectively, but the cheques when placed to the

bankers were returned being dishonoured with the bankers' endorsement "insufficiency of funds" as on 22.2.2018. Therefore, the petitioner issued Demand Notice, but of no effect. So, the case under reference was filed before the learned Magistrate, Jalpaiguri and the case is still pending.

My attention is invited to various orders passed in proceeding and it would also appear that the opposite party was admitted on bail on his surrender on 2.8.2019 and the Warrant of Arrest issued against him was on record. Thereafter, no order has been passed by the learned Magistrate and the case is kept pending. Accordingly, the petitioner has prayed for direction upon the Trial Court to conclude the trial expeditiously within a specified period by undertaking summary trial is embodied in Section 143 of N.I. Act and bearing in mind the direction of the Hon'ble Supreme Court in the case of **Indian Bank Association vs. Union of India reported in (2014) 5 SCC 590.**

Thus, this revisional application being CRR 34 of 2021 is disposed of with the direction upon the learned Judicial Magistrate to dispose of the case as expeditiously as possible preferably within a period of six month from the date hereof

(Shivakant Prasad, J.)