

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 211 of 2021

- Shashi Kumar Sahu S/o Shri Sotilal Sahu Aged About 40 Years R/o In Front Of Traffic Thana, Balaji Medical Store, Tifra, Raipur Road Tifra, Bilaspur Tahsil & District Bilaspur Chhattisgarh.

----- Petitioner

Versus

- Ramkrishna Kashyap S/o Shri Baisram Kashyap Aged About 40 Years Caste - Kurmi, Occupation Cultivator, Resident of Karma, Post Beltara, Tahsil & District Bilaspur Chhattisgarh.

----- Respondent

For Petitioner :- Mr. C.K. Sahu, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

23/03/2021

1. Heard Mr. C.K. Sahu, learned counsel for the petitioner, on question of admission of the writ petition.

2. Mr. C.K. Sahu, learned counsel for the

petitioner, would submit that Complaint Case No.161/2019 under Section 138 of Negotiable Instruments Act has been filed before the Judicial Magistrate First Class, Bilaspur but despite lapse of two years there is no substantive progress in the trial and the case is still pending consideration for explaining the particulars of the offence, as such, the learned Magistrate be directed to conclude the case expeditiously.

3. It appears from the record that petitioner has filed the Complaint Case No.161/2019 under Section 138 of the Negotiable Instruments Act before the trial Magistrate on 13.02.2019 and after two years there is no substantive progress and the case is still pending consideration for explaining the particulars of the offence which was lastly listed on 17.03.2021.

4. Considering the slow progress of the case the Judicial Magistrate First Class, Bilaspur, before whom the complaint case is pending, is directed to conclude the trial

expeditiously within the period of three months from the date of receipt of copy of this order.

5. Copy of the order be sent to the Judicial Magistrate First Class, Bilaspur, as well as the Sessions Judge, Bilaspur, to ensure that this trial and other trial which is pending in Sessions Division, Bilaspur, for the offence under Section 138 of the Negotiable Instruments Act be concluded expeditiously.
6. Learned Magistrate is directed to submit the compliance report immediately after three months after conclusion of the trial.
7. With the aforesaid direction/observation the instant writ petition stands disposed of.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit