

Form J(2)

**IN THE HIGH COURT AT CALCUTTA  
Criminal Appellate Jurisdiction  
Appellate Side**

**Present :  
The Hon'ble Justice Bibek Chaudhuri**

**CRR 1810 of 2022**

**Nidhi Casting and Alloys Private Limited  
-Vs.-  
Leading Hotels Limited**

**For the petitioner: Mr. Mrityunjoy Chatterjee  
Mr. Debapriya Majumder**

**Item No.06.**

**Heard & Judgment on: 21.06.2022**

**Bibek Chaudhuri, J.**

On careful perusal of the materials on record in the instant revision and having heard Mr. Chatterjee, learned advocate for the petitioner, this Court is of the view that the instant application can be disposed of finally even without going through the requirement of service of notice to the opposite party.

The petitioner is the complainant of a case under Sections 138/141 of the Negotiable Instruments Act which is registered as C/16007 of 2021 before the learned Metropolitan Magistrate, 11<sup>th</sup> Court, Calcutta. After cognizance being taken and the complainant being examined on solemn affirmation the trial Court issued process against the accused. The accused entered appearance virtually on 14<sup>th</sup> March, 2022 i.e., after the lapse of about one year. Subsequently, on 11<sup>th</sup> May, 2022 the accused initially did not appear. Therefore, warrant of arrest was issued against him. Later, the learned advocate for the accused represented him and the warrant of arrest was recalled and date was fixed for his appearance on 8<sup>th</sup> July, 2022. It is needless to say that there are plethora of judgments of the High Courts as well as the Apex Court that a proceeding under Section 138 of the Negotiable Instruments Act ought to be disposed of with extreme urgency. The Hon'ble Supreme Court has also envisaged creation of special courts only for disposal of the matters under Section 138 of the Negotiable Instruments Act. Thus, the importance of speedy disposal of the proceeding under Section 138 of the Negotiable Instruments Act cannot be overemphasized.

For the reasons stated above, the instant Criminal Revision is disposed of directing the learned Metropolitan Magistrate, 11<sup>th</sup> Court, Calcutta to dispose of C/16007 of 2021 expeditiously and preferably

within six months from the date of communication of this order. The petitioner is at liberty to communicate this order obtaining server copy of the same. The learned Magistrate is also informed that the time limit granted by this Court is peremptory.

The instant revision is, thus, disposed of.

**(Bibek Chaudhuri, J.)**