

13.07.2022

BP
Sl. 170
Court no.42.

CRR 2146 of 2022

In re: An application under Section 483 of the
Code of Criminal Procedure, 1973.

In the matter of: Basudev Konar
...petitioner

Mr. Sobhan Majumder
..for the petitioner.

In the instant criminal revision the petitioner being the complainant of a proceeding under Section 138 of the Negotiable Instrument Act being C.R. Case No. 956 of 2017, has prayed for expeditious disposal of the said complaint case. At present the above mentioned case under Section 138 of the N.I Act is pending before the learned Judicial Magistrate, 4th Court at Durgapur.

It is submitted by the learned advocate for the petitioner that since 2017 the instant case is pending for trial. Therefore, the trial court should be directed to dispose of the case expeditiously. It is needless to say that in plethora of cases the Hon'ble Supreme

Court and different High Courts directed the trial courts to dispose of cases under Section 138 of the N.I. Act expeditiously. This court has already issued a practice direction being notification no. 2301 – RG dated 22nd April, 2022 regarding prompt disposal of cases under Section 138 of the N.I. Act.

The learned trial judge has not followed such direction which he is under duty bound to follow.

In view of such circumstances, the instant revision is disposed of directing the trial court to dispose of the above mentioned complaint case within six months from the date of communication of this order.

The petitioner is at liberty to communicate the server copy of the order in the court below.

(Bibek Chaudhuri, J.)

