

Form No. J(1)

IN THE HIGH COURT AT CALCUTTA

Criminal Revisional Jurisdiction

Present :

The Hon'ble Mr. Justice Bibek Chaudhuri

CRR 2220 of 2022

**Bishnupada Das
-Versus-
Chanchal Roy**

For the petitioner : Mr. Kallol Mondal
: Mr. Krishan Ray
: Mr. Souvik Das
: Mr. A. Banerjee

For the State : Ms. Sujata Das

Heard On: 11.07.2022

Judgment On: 11.07.2022

Bibek Chaudhuri, J.

This is an application for expeditious disposal of CR Case No. 1064 of 2018 pending before the learned Additional Chief Judicial Magistrate, 1st Class, 1st Court, Jangipur, Murshidabad. The above mentioned complaint case is under Section 138 of the Negotiable Instruments Act.

On perusal of the materials on record, this court finds that the instant revision can be disposed of here and now with the assistance of the learned Public Prosecutor in charge. Ms. Sujata Das, learned Public Prosecutor in charge is requested to assist this court. The Legal

Remembrancer, Government of West Bengal is requested to regularize the appointment of Ms. Das in the instant case.

It is submitted by Mr. Mondal, learned advocate for the petitioner that complaint under Section 138 of the N. I. Act was filed by the petitioner/complainant in the year 2018. The accused was examined under Section 251 of the Cr. P. C. on 27th March, 2019. Subsequently almost three years have elapsed but the learned court below could not conclude the hearing of the above mentioned complaint case.

From the plethora of decisions of the Hon'ble Supreme Court and different High Court that the cases under Section 138 of the N. I. Act are to be disposed of at the earliest. This court passed a practice direction to be followed by the trial court dealing with the cases under Section 138 of the N. I. Act fled a notification no.2301-RG dated 27th April, 2022. However, no such direction is followed by the court below.

For the reasons stated above, the trial court is specifically directed to dispose of CR Case no. 1064 of 2018 within a period of three months from the date of communication of this order without giving any adjournment to either of the parties on any reason whatsoever.

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

(Bibek Chaudhuri, J.)

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107

g.b.