

Form J(2)

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

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

CRR 2234 of 2022

**M/s. Seven Hills Bytes Pvt. Ltd.
Vs.
Console Management Consultants Pvt. Ltd. and
Others**

Mr. Sabyasachi Banerjee
Ms. Aafreen Perveen
...for the petitioner

Item No.23.

Heard & Judgment on: 07.07.2022

Bibek Chaudhuri, J.

Complaint Case No.261/2021 was registered on the basis of a Court complaint submitted by the petitioner/complainant before the learned Judicial Magistrate, Bidhannagar under Section 138 of the Negotiable Instruments Act. The grievance of the petitioner is that the said case has not been disposed of till date. It appears

from the documents filed with the instant appeal that the opposite party Nos. 2 to 6 have entered appearance. They are the Directors of the opposite party No.1 Company. However, no formal order is passed with regard to representation of the Company. The instant case is fixed for examination of the accused persons/opposite parties under Section 251 of the Code of Criminal Procedure on 2nd August, 2022.

The petitioner has prayed for expeditious disposal of the case. On perusal of the copy of the orders passed by the learned Judicial Magistrate, Bidhannagar in whose Court the said complaint case is pending for disposal that he is taking prompt step for proceeding with the instant complaint. The learned Magistrate has nothing to do if the accused No.1/opposite party No.1 is not represented by any of the Directors. Therefore, the instant criminal revision is **disposed of** directing the learned Judicial Magistrate, Bidhannagar to ascertain on the next date fixed as to who amongst P.W.2 to P.W.6 will represent opposite party No.1 Company. Then he will record plea against the accused persons. Since it is directed by the Hon'ble Supreme Court in plethora of cases that the complaint under Section 138 of the Negotiable Instruments Act is to be disposed of expeditiously, the learned Magistrate is requested to take prompt action for disposal of the complaint in connection with

Complaint Case No. 261 of 2021 by recording of evidence, examination of accused persons under Section 313 of the Code of Criminal Procedure, examination of defence witnesses, if any, and delivery of judgment.

(Bibek Chaudhuri, J.)