

Form J(1)

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

Present :

The Hon'ble Justice Bibek Chaudhuri

C.R.R. 2341 of 2022

Bhaskar Steel & Ferro Alloy Private Limited.

Vs.

Mr. Rakib Uddin Sanpui

For the petitioner : Mr. Avijit Ghosh, Adv.

Heard on : 21.07.2022

Judgment On : 21.07.2022.

Bibek Chaudhuri, J.

The petitioner has come up before this court for a direction of expeditious disposal of complaint case No.CNS-72 of 2019 pending before the learned Metropolitan Magistrate, 7th Court at Calcutta.

On perusal of the materials on record and having heard the learned Advocate for the petitioner, this Court is of the view that the instant revision can be disposed of here and now with the assistance of the learned Public Prosecutor.

The petitioner is directed to serve copy of the application to the learned Public Prosecutor here and now.

It is found from the materials on record that a Court complaint registered as CNS-72 of 2019 under Sections 138/141 of the

Negotiable Instruments Act was filed by the complainant/petitioner against the opposite party in the year 2019. The opposite party surrendered before the Trial Court on 27th August, 2019. Thereafter, series of dates were fixed for examination of the accused under Section 251 of the Code of Criminal Procedure and the accused was finally examined on 7th June, 2022. Subsequently date was fixed for recording evidence of the complainant but for one reason or the other, in spite of the presence of the complainant with his witnesses, the Trial Court did not find time to examine the witnesses on behalf of the complainant.

Needless to mention that there are plethora of directions passed by the Hon'ble Supreme Court and different High Courts on time bound disposal of the cases under Section 138 of the Negotiable Instruments Act. This Court also issued practice directions to be followed by the Courts of the learned Magistrate deal with the cases under Section 138 of the Negotiable Instrument Act vide a Notification No.2301-RG dated 22nd April, 2022.

Attention of the learned Magistrate is drawn on the practice directions issued by the High Court at Calcutta dated 22nd April, 2022.

The learned Magistrate is directed to conclude the evidence of the witnesses on the prosecution within 3 months from the date of communication of this order. The learned Magistrate is further

directed to conclude the hearing and pass judgment in the above-mentioned case before ensuing Puja Vacation.

The petitioner is at liberty to communicate this order obtaining server copy of the same to the learned Metropolitan Magistrate, 7th Court at Calcutta for information and compliance.

The instant revision, is, thus, **disposed of.**

(Bibek Chaudhuri, J.)

***Mithun De/
A.R. (Ct).
SI No.23.
D/L.***