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SSS

07.08.23

CRR 395 of 2017
With
CRR 396 of 2017
With
CRR 397 of 2017

In the matter of: **Dipankar Dey**

.....Petitioner.

Mr. Sandipan Ganguly,
Mr. Arkadeb Bhattacharya

... for the Petitioners.

Mr. Prasun Kumar Datta, APP
Mr. Kutubuddin,
Mr. Santanu Deb Roy

... for the State.

The revisional application has been filed with a prayer for expeditious disposal of the proceedings being CR Case No. 11 of 2014 under Section 138 of the Negotiable Instruments Act pending before the Court of learned Chief Judicial Magistrate, Darjeeling.

On behalf of the State, Mr. Prasun Kumar Datta has filed one report submitted by the Inspector-in-Charge of Pradhannagar Police

Station wherefrom, it is seen that warrant issued by the learned Trial Court for its execution. Several efforts were made but failed till now.

Learned Counsel appearing on behalf of the petitioner has submitted that necessary direction be given to the learned Trial Court for expeditious disposal of the suit by securing the attendance of the Opposite Party/accused before the learned Trial Court. It is further submitted by the learned Counsel for the petitioner that the matter is pending since 2014. The report submitted on behalf of the State is taken on record.

It is further submitted on behalf of the petitioner that the accused lastly surrendered before the learned Trial Court on 29th September, 2014 and obtained bail and from then on, he remained absent till 02.12.2014 and ultimately, non-bailable warrant was issued against him.

In the aforesaid view of the matter, learned Chief Judicial Magistrate, Darjeeling is directed to dispose of the case as expeditiously as possible and to take up the matter regarding attendance of the Opposite Party No. 2/accused before him by

issuing necessary direction upon the Superintendent of Police towards execution of the warrant pending since 2014 and in case of any lackadaisical attitude on the part of the Superintendent of Police, the learned Chief Judicial Magistrate, Darjeeling is directed to take up the issue with the Inspector General of Police, North Bengal to secure his attendance before the court after execution of warrant pending since 2014. Mr. Prasun Kr. Datta, Mr. Kutubuddin and Mr. Santanu Deb Roy are appointed to represent the State. Their appointments may be regularized.

All the aforesaid three revisional applications are disposed of by this common order.

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Bibhas Ranjan De, J.)

