

D/L35
13.06.2023
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C.R.R.1065 of 2023

In Re: An application under Section 483 of the Code of Criminal Procedure;

Mr. Monoranjan Mahato and another
Versus
Rupnath Pal

Mr. Tapan Dutta Gupta,
Mr. Saurabh Guha Thakurata,
Ms. Nilanjana Sarkar.
...for the petitioners.

The present revisional application has been preferred for expeditious disposal of NI-131 of 2021 dated 15.09.2021 pending before the learned Judicial Magistrate, 3rd Court, Sealdah under Section 138 of the Negotiable Instruments Act.

Learned advocate appearing for the petitioners submits that on 8th February, 2023 the examination under Section 251 of the Code of Criminal Procedure was conducted by the learned Magistrate, but till date the evidence of the case has not progressed. The grievance of the learned advocate is also to the extent that, although the interim compensation application was filed on 28th February, 2022, but till date the same has not been considered by the learned Judicial Magistrate, 3rd Court, Sealdah before whom the proceedings are pending.

It has been informed that the next date has been fixed on 4th August, 2023.

Learned Judicial Magistrate, 3rd Court, Sealdah is directed to dispose of the application for interim compensation on

the said date or within a fortnight thereafter. Learned trial court would take into account the intention of the legislature in respect of the proceedings under Section 138 of the Negotiable Instruments Act and fix dates at such regular intervals so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, CRR 1065 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)