

June 23, 2023  
AD -23  
Ct. 34  
SG

*CRR 2252 of 2023*

*Gomti Agarwal*  
*-versus-*  
*Kakali Basu Mullick*

Mr. Satadru Lahiri  
Mr. Safdar Azam

... for the petitioner

The present revisional application has been preferred in respect of Complaint Case No.C-12749/2014 which is pending before the learned Judicial Magistrate, 6<sup>th</sup> Court, Alipore under Section 138 of N.I. Act.

Learned advocate for the petitioner submits that more than 8 years have passed after institution of the case and till date no evidence has been recorded in the present case as the accused persons are designedly evading the regular proceedings of the court. He also submits that the examination under Section 251 Cr.P.C. was held on 29.02.2020 and lastly from the order sheet it would reflect that the learned trial court was pleased to issue warrant of arrest against the accused person.

Having regard to the manner in which the proceedings are progressing before the learned court, I direct that the learned court would fix at least one date in every 2 months so that the trial can be taken to its logical conclusion.

As the accused is not cooperating with the court on the dates so fixed, I direct that the learned magistrate would inform the superior officer of the police of concerned jurisdiction for executing the warrant of arrest and the court would impose a condition to meet with the Officer-in-Charge of Gariahat Police Station once in a week. Until and unless the learned Magistrate, 6<sup>th</sup> Court, Alipore is satisfied with the physical appearance of the accused, he may not be dispensed with physical appearance till the end of the trial. All efforts be taken for concluding the trial by 30<sup>th</sup> June, 2024.

With the aforesaid observations, CRR 2252 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.

**( Tirthankar Ghosh, J. )**

