

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

CRR 2316 of 2023

In re: An application under Section 483 of the Code of Criminal Procedure, 1973.

- A n d -

In the matter of : Urban Hi Breed Farm Limited

.... Petitioner.

Mr. Satadru Lahiri,
Mr. Ashis Kumar Mukherjee,
Mr. S. Prasad

... For the Petitioner.

Petitioner is aggrieved by the fact that the proceeding under Section 138 of the Negotiable Instrument Act which is pending before the learned Metropolitan Magistrate, 7th Court, Calcutta, is not progressing and the accused designedly is evading the court so that there is no progress in the trial. Learned advocate submits that examination under Section 251 of the Code of Criminal Procedure has already been completed in the year 2018 and a part examination so far as the Prosecution Witness No.1 conducted.

On an assessment of the series of orders which have been placed before this Court, I find that the case was instituted almost six years ago and till date, there is no substantial progress in the case. The accused is making himself absent on regular intervals after which Warrant of Arrest was issued and thereafter, he is granted bail and thereafter, other dilatory tactics were adopted by him. This is what the last series of orders are reflecting.

The learned Magistrate, as such, is directed to fix regular bail and impose an additional condition on bail of the

accused that he shall not leave the jurisdiction of Calcutta without the permission of the said court. The accused would give an undertaking before the court that in case he is absent, the trial of the case would proceed in the presence of learned lawyer who would be conducting the case. It is further directed that henceforth by fixing one date in a week, the learned trial Court would conclude the trial including pronouncing of the verdict by 31st December, 2023.

With the aforesaid observations, CRR 2316 of 2023 is disposed of. Pending application, if any, is also disposed of.

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

(Tirthankar Ghosh, J.)