

05.09.2023
Serial no. 98
[G.S.D]

CRR 2808 of 2022

In the matter of : Syed Saker Ali

... .. Petitioner

Mr. Habibur Rahaman
Mr. A. Singh

... for the petitioner

This revisional application has been preferred for expeditiously disposal of the case being AC 75 of 2012, which was filed under Section 138 of the N.I. Act and is pending before the Learned Judicial Magistrate, 7th Court, Alipore. More than 11 years have passed since the initiation of the instant case. The evidence, in this case, has been progressing substantially.

However, 11 years is a time, for which the provisions of Section 138 of the N.I. Act were not legislated.

Learned Advocate submits that the next date is fixed on 16th of October, 2023 for execution return of the warrant of arrest, which was issued by the Learned Magistrate.

Hence, the Learned Magistrate is directed, in case, no report is received or, there is no execution of warrant of arrest, then the Learned Magistrate would direct the Divisional Deputy Commissioner, in-charge of Garfa P.S. to

execute the warrant of arrest and make compliance of the same.

If the accused appears before the Learned Court, the Learned Court would fix at least two days in a week so that the trial of the case can be concluded within a reasonable period of time.

With the aforesaid observations, CRR 2808 of 2022 is disposed of

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court at Calcutta.

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

(Tirthankar Ghosh, J.)