

23.08.2023

Item No.69
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 3060 of 2023

In the matter of : **Anesur Rahaman alias Ansur Rahaman**
... Petitioner.

Mr. S. S. Roy,
Mr. Amarandra Chakraborty,
Mr. Argha Banerjee ... For the Petitioner.

Mr. Roy, learned advocate appearing for the petitioner submits that the case under Section 138 of the Negotiable Instruments Act was filed in the year 2017 and till date, the same has been continuing. The records of the case have been sent for mediation, but the complainant finds that the accused has designed the case in such a manner that there would be only delay and there is no scope for any amount being received towards the dishonoured cheque without a proper adjudication by a court of law.

It reflects from the ordersheets that the records of the case have been sent to the Mediator for mediation. Accordingly, I direct the Registrar (Judicial Service) to bring it to the notice of the learned District Judge, Malda so that the report of the Mediator regarding the mediation failing be immediately informed to the learned Judicial Magistrate, 2nd Court, Malda. The learned District Judge, Malda will also ensure regarding the records of the case being 583C of 2017 being placed before the learned Judicial Magistrate, 2nd Court, Malda.

The learned Judicial Magistrate, 2nd Court, Malda on receipt of the report will issue a notice and proceed with the

trial of the case by fixing date of at least once in a month so that trial of the case can be taken to its logical conclusion within a reasonable period of time.

Department is directed to communicate this order to the learned District and Sessions Judge, Malda who would immediately take steps so that records reach the learned Judicial Magistrate, 2nd Court, Malda.

With the aforesaid observations, the revisional application being CRR 3060 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)