

01.09.2023

Item No.37
Ct.No.34
dc.

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

C.R.R. 3286 of 2023

In the matter of : **Arichwal Trading Co Private Limited**
... Petitioner.

Mr. Debopam Roy,
Mr. Ratul Paul,
Mr. S. Majumder ... For the Petitioner.

Learned advocate appearing for the petitioner is aggrieved by the fact that Complaint Case No. CS-23825 of 2011 is pending before the learned Metropolitan Magistrate, 6th Court, Calcutta under Section 138 of the Negotiable Instruments Act and till date the court has proceeded only to the stage of the cross-examination of PW-1. The cross-examination is yet to be completed. Twelve years have passed since the initiation of the case. The manner in which the proceedings are progressing is against the spirit of the legislation and the purpose for which the legislature brought the Act into force so that by way in a summary manner the proceedings in respect of dishonoured cheques can be concluded have actually been frustrated.

Learned advocate appearing for the petitioner has drawn the attention of the Court to different orders which have been passed by the learned Metropolitan Magistrate and it has been pointed out that at least on three occasions, the accused was granted bail. It has been submitted that in a designed manner, the proceedings are being delayed and the complainant is suffering for the same. The next date, as has been informed, is on 19.09.2023.

The learned trial court is directed that henceforth, the accused will not be allowed to be dispensed with his personal appearance. The dates for the purpose of the present case would be fixed on each and every week once, so that the verdict of this case can be pronounced by 30.06.2024.

With the aforesaid observations, the revisional application being CRR 3286 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.)