

08.09.2023

Item No.22
Ct.No.34
dc.

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

C.R.R. 3329 of 2023

In the matter of : **Dalia Nandy** ... Petitioner.

Mr. Sagnik Mukherjee,
Mr. Risav Dutta Gupta ... For the Petitioner.

The present revisional application has been preferred in connection with a Complaint Case No. 8460 of 2021 in respect of alleged offences punishable under Section 138 of the Negotiable Instruments Act which is pending before the learned Metropolitan Magistrate, 15th Court, Calcutta.

Learned advocate appearing for the petitioner submits that the case is of the year 2021 and till date, only examination under Section 251 of the Code of Criminal Procedure has been completed and none of the witnesses till date has been examined on behalf of the prosecution. Further the application under Section 143A of the Negotiable Instruments Act is pending for more than one year.

Having considered the contentions advanced on behalf of the petitioner, I am of the view that the application under Section 143A of the Negotiable Instruments Act be disposed of on 19.09.2023 (next date so fixed) or within a fortnight thereafter. After the same, the learned Magistrate on and from the month of November 2023 would fix date once in every two months so that trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment should be granted to either of the parties.

If after passing the direction under Section 143A of the Negotiable Instruments Act the accused is reluctant to pay the same, the complainant would be at liberty to invoke provision under Section 421 of the Code of Criminal Procedure for recovery of the interim compensation.

Learned trial court would adhere and stick to the tenor and spirit of the legislation as the legislature has expected the cases under Section 138 of the Negotiable Instruments Act to be completed and concluded within a schedule period of time.

With the aforesaid observations, the revisional application being CRR 3329 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.)