

Form J(1)

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

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 3751 of 2022

**Nu Sri Shyam Pharmaceuticals Private Limited
Vs.
Gita Devi Gupta**

**For the petitioner : Mr. Pawan Kumar Gupta, Adv.,
Mr. Anurag Bagaria, Adv.,
Ms. Sofia Nesar, Adv.,
Mr. Santanu Sett, Adv.**

For the State : Mr. Sandip Chakraborty, Adv.

Judgement on : 17.01.2023.

Bibek Chaudhuri, J.

This is an application for expeditious disposal of Case No. C-15038/2019 under Section 138 of the Negotiable Instruments Act filed by the petitioner/complainant.

It is submitted on behalf of the petitioner that the petition of complaint was filed on 11th March, 2019. The accused was examined under Section 251 of the Code of Criminal Procedure on 2nd December, 2019. Thereafter, the application for interim compensation was filed by the complainant which was allowed and the accused was directed to pay 20 per cent of the cheque amount vide order dated 17th February, 2021. That amount has not been paid as

yet and, therefore, the Trial Court issued distress warrant against the accused. For dilatory tactics adopted by the accused the trial of the case is delayed.

Under such circumstances, the instant revision is disposed of directing the learned Magistrate to see that the execution report of the distress warrant be executed within the date fixed.

If the learned Magistrate finds it proper to release the accused on bail, there shall be a condition directing the accused to deposit Bank guarantee for an amount equivalent to double the cheque amount.

In any event, the learned Magistrate shall take all endeavour for speedy disposal of the case within six months from the date of communication of this order.

The instant revision is, thus, disposed of.

The petitioner is at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 93.