

Form J(1)

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

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

CRR 3752 of 2022

**Nu Sri Shyam Pharmaceuticals Private Limited
Vs.
Gems Care & Cure Health Centre Private Limited & Ors.**

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

For the State : Ms. Kumkum Mitra, Adv.

Judgement on : 17.01.2023.

Bibek Chaudhuri, J.

This is an application for expeditious disposal of Case No. C-20 of 2019 being a proceeding under Section 138 of the Negotiable Instruments Act pending before the learned Judicial Magistrate, 4th Court at Alipore. The petitioner is the complainant who is filed the complaint against the accused persons/opposite parties in the year 2019.

It is submitted by the learned Advocate for the petitioner that in the aforesaid case the accused persons have surrendered and obtained bail but till date even they are not examined under Section 251 of the Code of Criminal Procedure. It is an unfortunate

circumstance where accused persons are not examined under Section 251 of the Code of Criminal Procedure even after three years of institution of a complaint case.

Under such circumstances, the learned Trial Judge is specifically directed to examine the accused persons under Section 251 of the Code of Criminal Procedure within three weeks from the date of communication of this order. Thereafter, the learned Magistrate shall take all endeavour to dispose of the case within six months thereafter.

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. 94.