

31.07.2023
Item no.13.
Court No.34.
AB

CRR No. 3753 of 2022

In the matter of : M/s. Kaushal Pharmaceuticals Pvt. Ltd.

.....Petitioner.

Mr. Pawan Kumar Gupta,
Mr. Anurag Bagaria,
Ms. Sofia Nesar,
Mr. Santanu Sett,
Ms. Riya Debnath for the Petitioner.

Mr. Gupta, learned Advocate appearing for the petitioner submits that the present complaint case no. CS/22512 of 2019 was initiated under the provisions of Section 138 of the Negotiable Instrument Act, 1881 and is pending before the learned Metropolitan Magistrate, 20th Court, Calcutta.

Learned Advocate submits that the accused persons are unnecessarily creating hazard for progress of the case and since 2019, the Court after five years could not progress to the stage of Section 251 of the Code of Criminal Procedure.

It has also been brought to the notice of this Court that the dates, which are being fixed by the learned Trial Court, is almost after one year.

I have considered the anxiety expressed by the petitioner. I direct that the learned Magistrate would take steps while executing the warrant of arrest through the superior officer

of the police having jurisdiction in respect of the police station. The learned Magistrate would thereafter proceed to the harsher process of law and would take into account the accused persons, who are appearing and, if required, segregate the case. Learned Magistrate hence would fix at least one date in every two months so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

In case the learned Magistrate feels that conditions are to be imposed while the accused persons are being released on bail, in such an event, the learned Magistrate would be at liberty to impose conditions on the accused persons to meet the Officer in charge of the concerned police station once in a week till the completion of the trial.

With the aforesaid observations, CRR No. 3753 of 2022 is disposed of.

Pending applications, if any, are consequently disposed of.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)