

31.07.2023
Item no.16.
Court No.34.
AB

CRR No. 3776 of 2022

In the matter of : Liberal Commodeal Private Limited

.....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. C/14968 of 2012 was initiated under the provisions of Section 138 of the Negotiable Instrument Act, 1881 and is pending before the learned Metropolitan Magistrate, 14th Court, Calcutta.

The peculiarity of this case is that the matter is pending for 11 years in spite of the spirit expressed by the Legislation.

As it has been complained that the accused purposely has been evading the process of law and warrant of arrest is pending against him, which was similar on earlier occasions also, 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 every fortnight till the completion of the trial.

With the aforesaid observations, CRR No. 3776 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.)