

Form J(1)

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

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

CRR 3786 of 2022

**Subhashis Ghosh
Vs.
Dilip Barua**

**For the petitioner : Mr. Monish Sen, Adv.,
Ms. Oisani Mukherjee, Adv.**

For the State : Mr. Mirza Firoz Ahmed Begg, Adv.

Judgement on : 17.01.2023.

Bibek Chaudhuri, J.

The petitioner is the complainant of Case No. CR 113 of 2013 being a proceeding under Section 138 of the Negotiable Instruments Act presently pending before the learned Judicial Magistrate, 2nd Court at Durgapur, Paschim Burdwan.

It is submitted on behalf of the petitioner that the petitioner as complainant filed the aforesaid case in the year 2013 but till date the learned Magistrate has not been able to examine the accused under Section 251 of the Code of Criminal Procedure though accused surrendered before the Trial Court and obtained bail in the year 2018.

The learned Magistrate is specifically directed to examine the accused within three weeks from the date of communication of the

order and then conclude the trial of the case within six months thereafter. The above order is peremptory and if the learned Magistrate fails to comply with the said order necessary consequence will follow.

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. 97.