

Form J(1)

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

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

CRR 3787 of 2022

**Subhashis Ghosh
Vs.
Gour Sundor Paul**

Mr. Monish Sen
Ms. Oisani Mukherjee
..for the petitioner

Ms. Rita Datta
..for the State

Item No. 87.

Heard & Judgment on: 18.01.2023

Bibek Chaudhuri, J.

This is an application for a direction upon the trial Court for expeditious disposal of CR Case No.110 of 2013 being proceeded under Section 138 of the N.I. Act pending before the learned Judicial Magistrate, 2nd Court at Durgapur.

It is submitted by the learned advocate for the petitioner that the petitioner filed the above mentioned complaint under Section 138 of the N.I. Act in the year 2013. It took about five years to bring the accused to face trial in the aforesaid case. In 2018 the accused surrendered before the trial Court and the learned Magistrate honourably granted bail to him. Thereafter approximately more than four years have elapsed but till date the learned Judicial Magistrate did not find any time to even examine the accused under Section 251 of the Code of Criminal Procedure. The conduct of the learned Judicial Magistrate is far from satisfactory and the matter is brought to the notice of the learned District Judge, Paschim Bardhaman to take note of the fact and mention such lapses in the annual confidential report of the learned Magistrate.

With regard to the case, the learned Magistrate is directed to examine the accused within three weeks from the date of communication of this order and conclude the examination of the witnesses within three months thereafter. He is further directed to come to a logical conclusion of the case within one month thereafter.

With the above direction, the instant revision is disposed of.

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

The learned Registrar (Judicial Service) is directed to send a copy of the order to the learned District Judge, Paschim Bardhaman for information and necessary action.

(Bibek Chaudhuri, J.)