

Form J(1)

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

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

CRR 3788 of 2022

**Subhashis Ghosh
Vs.
Sanjay Agarwal**

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

Mr. Rita Datta
..for the State

Item No. 88

Heard & Judgment on: 18.01.2023

Bibek Chaudhuri, J.

This is an application for a direction upon the trial Court for expeditious disposal of C.R. No.115 of 2013 being a proceeding under Section 138 of the N.I. Act pending before the learned Judicial Magistrate, 2nd Court at Durgapur, Paschim Bardhaman.

It is found from the record that the above mentioned complaint case was registered in the year 2013. It took about

five years to bring the accused before the trial Court to face trial in the case. The accused surrendered before the trial Court on 12th September, 2018 and he was released on bail. Subsequently, series of dates were fixed for examination of the accused under Section 251 of the Code of Criminal Procedure. Only in the month of June, 2022 the accused persons were examined under Section 251 of the Code of Criminal Procedure. Till date the learned Magistrate did not take any step for examination of the witnesses on behalf of the prosecution.

Under such circumstances, the instant revision is disposed of directing the learned Judicial Magistrate to conclude the examination of the witnesses on behalf of the prosecution within three months from the date of communication of this order. The learned Magistrate thereafter shall come to logical conclusion of the case within one month.

The learned Magistrate is further directed not to grant any unnecessary adjournment to either of the parties.

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

(Bibek Chaudhuri, J.)