

10.10.2023

Item No.46
Ct.No.34
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 3629 of 2023

In the matter of : **Kanchana Mukhopadhyay** ... Petitioner.

Mr. Somopriyo Chowdhury,
Mr. Kausik De,
Ms. Mohini Majumder,
Mr. Raghav Munshi ... For the Petitioner.

Mr. Chowdhury, learned advocate appearing for the petitioner submits that the present case under Section 138 of the Negotiable Instruments Act, which is pending before learned Metropolitan Magistrate, 9th Court, Calcutta, was initiated in the year 2009. The accused has been successful in delaying the process of the trial and almost 14 years have passed since initiation of the instant case and till date the defence is examining its witness. The next date for evidence has been fixed on 31.10.2023 for examination of DW-1.

Having considered that almost five years have completed since the prosecution witness has been examined, I am of the view that further stretching of the trial of the present case would frustrate the purpose of the proceedings under the provisions of the Negotiable Instruments Act. Accordingly, on and from 31.10.2023, the learned Magistrate would fix date on each and every week and complete the evidence of the defence by 31.01.2024. The learned Magistrate would complete the arguments by 10.02.2024 and pronounce the verdict on or before 28.02.2024.

With the aforesaid observations, the revisional application being CRR 3629 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)