

D/L54
10.10.2023
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C.R.R.3637 of 2023

In Re: An application under Section 483 of the Code of Criminal Procedure, 1973;

Hindusthan Surgical Appliances
Versus
State of West Bengal and others

Mr. Satadru Lahiri
Mr. Sumit Kumar Dey
Mr. Safdar Azam
Mr. Syed Wasim Faruque
Mr. Jyotirmay Talukdar.
...for the petitioner.

Petitioner is aggrieved by the factum of the progress of complaint case No.CNS-109 of 2021 which is a proceeding under Sections 138/141 of the Negotiable Instruments Act pending before the learned Metropolitan Magistrate, 11th Court, Calcutta.

Records of the revisional application reflect that the examination of the accused under Section 251 of the Code of Criminal Procedure is over and the learned Magistrate in the month of August, 2023 was pleased to fix 8th January, 2024 for evidence.

Having considered that the evidence is to commence in the month of January, 2024, I direct the learned trial court to fix at least one date in every 45 days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

In case an application under Section 143A of the Negotiable Instruments Act is filed by the petitioner, the same should be disposed of by the learned Magistrate within 30 days

from the date of filing of such application. All efforts be taken by the learned Magistrate and the litigants so that the legislative intention for the purposes of the proceedings under Section 138 of the Negotiable Instruments Act is given effect.

With the aforesaid observations, CRR 3637 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All 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 of all requisite formalities.

(Tirthankar Ghosh, J.)