

D/L301
17.11.2023
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C.R.R.3930 of 2023

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

Proshanto Kumar Ghosh
Versus
Tuhin Chatterjee

Mr. Saurav Bose.
...for the petitioner.

Petitioner is aggrieved by the manner in which the proceeding being C/2199 of 2018 is progressing before the learned Judicial Magistrate, 2nd Court, Alipore. The said proceeding is under Section 138 of the Negotiable Instruments Act.

Learned advocate submits that although the case was filed in the year 2018 but till date there has been no substantial progress in the case and the evidence of the prosecution witness no.1 cannot proceed because of diverse reasons including the factum of the accused designedly evading the court.

Having considered the submission of the learned advocate appearing for the petitioner and the fact that almost five years have expired since the initiation of the present case, I direct the learned trial court to fix at least one date in every 20 days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournment should be granted to either of the parties. If the accused adopts any dilatory tactics, in that

case the learned trial court would take steps so that minimum days are given to the accused for the purposes of cross-examination or for the purposes of adducing defence witness. All efforts be taken by the stakeholders to conclude the trial at the earliest.

With the aforesaid observations, CRR 3930 of 2023 is disposed of.

Pending connected 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.)