

Form J(1)

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

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

**CRR 4250 of 2022**

**Gaurab Kumar  
Vs.  
The State of West Bengal & Ors.**

**For the petitioner : Mr. Apalak Basu, Adv.,  
Mr. Nazir Ahmed, Adv.**

**For the State : Mr. Binoy Kumar Panda, Adv.**

**Judgement on : 16.01.2023.**

**Bibek Chaudhuri, J.**

The instant revision depicts an unfortunate state of procrastination of criminal proceeding. A complaint under Section 138 of the Negotiable Instruments Act was registered in the Trial Court on 27<sup>th</sup> November, 2020. The accused was examined under Section 251 of the Code of Criminal Procedure on 13<sup>th</sup> April, 2022. Subsequently on 3<sup>rd</sup> June, 2022 the complainant filed an application under Section 143A of the Negotiable Instruments Act praying for interim compensation. However, the said application has not been disposed of as yet. The learned Trial Court has also not taken any step for examination of the witnesses on behalf of the complainant. On the

other hand, he is granting adjournment one after another on the prayer made on behalf of the accused.

Under such circumstances, the instant revision is disposed of directing the Trial Court to examine all the witnesses on behalf of the complainant within three months from the date of communication of this order and dispose of the case within four months from this date. The learned Magistrate shall not grant any adjournment unnecessary to other of the parties.

The instant revision is, thus, disposed of with the above direction.

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

**(Bibek Chaudhuri, J.)**

**Srimanta, A.R.(Ct.)  
Item No. 108.**