

17.11.2023

Item No.30
Ct.No.34
dc.

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

C.R.R. 4230 of 2023

In the matter of : **M/s Essbee Intech Pvt. Ltd.** ... Petitioner.

Mr. Amit Singh,
Mr. Roshan Jaiswal ... For the Petitioner.

Records of the revisional application reflect that on 05.09.2023, learned Metropolitan Magistrate, 11th Court, Calcutta in CS 94838/2022, which is a proceeding under Section 138 of the Negotiable Instruments Act, directed the next date to be fixed on 07.12.2023 for taking steps on behalf of the accused partnership firm and for examination of the accused under Section 251 of the Code of Criminal Procedure. There was also a direction in the said order that if steps are not taken on behalf of the partnership firm, order of attachment would be issued.

The learned Magistrate is directed to adhere to the order dated 05.09.2023 and in case it is found that the accused opposite parties are trying to delay or adopt tactics which would stretch the proceedings, the learned Magistrate would take recourse to harsher process of law.

In case the learned Magistrate feels that the accused persons are adopting any means by which the proceedings would be delayed and if an application under Section 143A of the Negotiable Instruments Act is filed by the complainant, the learned Magistrate would proceed with hearing of the same irrespective of the fact whether plea has been recorded or not. The learned Magistrate would thereafter fix one date

in every two months so that trial of the case can be taken to its logical conclusion within a reasonable period of time.

With the aforesaid observations, the revisional application being CRR 4230 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.)