

D/L376
01.12.2023
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C.R.R.4471 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure;

Dipanwita Paul Das
Versus
M/s. PSAFL Speedmark Forwarding Private Limited

Mr. Sachit Talukdar
Mr. Chitrak Biswas.
...for the petitioner.

Learned advocate for the petitioner submits that the purpose of Section 143A of the Negotiable Instruments Act is that there should not be any delay in the proceedings. Learned Magistrate in the impugned order dated 18.08.2023 did not assign any reason but only imposed 15% of the cheque amount as interim compensation. Petitioner further submits that the case has substantially progressed and is at the stage of cross-examination of PW1.

Having regard to the fact that the contribution of delay cannot be solely attributed to the present petitioner and there has been systemic delay, the amount so directed to be paid as interim compensation is reduced to a sum of Rs.25,000/- which will be deposited with the learned trial court by 20th December, 2023. The said amount will be retained by the court and will be released only if the proceedings are delayed after December, 2024.

With the aforesaid observations, CRR 4471 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.)