

July 19, 2023
AD – 32
Ct. 34
SG

CRR 4792 of 2022

Nasir Ahmed Mondal
-versus-
State of West Bengal and another

Mr. Pawan Kumar Gupta
Ms. Sofia Nesar
Mr. Santanu Sett

... for the petitioner.

Learned advocate for the petitioner is aggrieved by the factum that the proceedings under Section 138 of N.I. Act is pending before the learned Additional Chief Judicial Magistrate, 1st Court, Baruipur since the year 2010.

Learned advocate for the petitioner submits that in the year 2019 after the evidence of the defence was concluded an application was filed by the accused/OP No.2 for sending some documents to the handwriting expert. The said application was allowed but till date there is nothing before the court for the last 4 years and as such the trial has come to a standstill and the complainant, who has suffered the initial loss, after the cheque was dishonoured, is suffering.

Having considered the plight of the present petitioner, I direct that the learned trial court to ensure on the next date that the report is made available within a month. As the defence evidence has been closed, the learned magistrate will start hearing the arguments of the case

within a fortnight thereafter so that the judgment of the case be pronounced by 31st December, 2023.

With the aforesaid observations, CRR 4792 of 2022 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 certified copy of this order, if applied for, be made available to the parties upon compliance of such requisite formalities.

(Tirthankar Ghosh, J.)