

03.01.2023
SL No.25
Court No.3
SB

Circuit Bench of Calcutta High Court
At Jalpaiguri

CRR 129 of 2022

In the matter of : Jagadish Chandra Sarkar

Mr. Jaydeep Kanta Bhowmik

... for the petitioner

Petitioner has filed this revisional application under consideration seeking direction from the learned Trial Court once again for expeditious disposal of the case pending before the learned Trial Court under Section 138 of the N.I. Act.

From the copy of the order sheet annexed to the petition, I find that on 25.3.2021 the accused person was examined under Section 251 of the Cr.P.C. and 31.3.2021 was fixed for evidence. On that day complainant was not present physically. Hazira was filed through lawyer. 09.4.2021 was fixed for evidence. On that day complainant was found absent then on 19.4.2022 the date was fixed for evidence by the learned Trial Court, the complainant was absent without step. On 05.4.2022 complainant engaged another lawyer and on his behalf fresh Vakalatnama was filed. So it appears that the petitioner being the complainant is on one hand seeking direction from this Court upon the learned Trial Court to expedite the trial and on the other hand he is causing impediment in speedy trial.

Considering the conduct of the petitioner as complainant before the learned Trial Court, I do not find any merit in the revisional application and the same is dismissed with costs of Rs.5,000/- to be paid to the Secretary, D.L.S.A. Jalpaiguri within two weeks from date.

With this observation, the criminal revision is disposed of.

Let a copy of the order be sent to the learned Trial Court for information and necessary action.

(Siddhartha Roy Chowdhury, J.)