

D/L33
15.03.2024
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C.R.R.1056 of 2024

In Re: An application under Section 483 of the Code of Criminal Procedure, 1973;

Santosh Kumar Singh
Versus
Bishnu Kumar Agarwal

Mr. Brajesh Jha
Ms. Megha Datta
Mr. Neel Chakraborty.
...for the petitioner.

Petitioner being the complainant is aggrieved regarding the progress of the case which has been initiated under the provisions of Sections 138/141 of the Negotiable Instruments Act.

Learned advocate appearing for the petitioner submits that there has been no progress since the initiation of the case and the accused persons have been strategically delaying the progress of the case.

Records of Complaint Case No.C-847 of 2022 pending before the learned Judicial Magistrate, 5th Court, Barrackpore reflects that earlier on 17.01.2024 the case was adjourned till 20th February, 2024 as there was resolution of the local bar.

As it is not transparent from the records of the case whether the examination under Section 251 of the Code of Criminal Procedure is over or not, I direct the learned Judicial Magistrate, 5th Court, Barrackpore to conclude the examination under Section 251 of the Code of Criminal Procedure on the next date so fixed or within a fortnight thereafter provided the same has not yet been

concluded. After the said process is over or if the said process is already over and the date has been fixed for evidence, learned trial court would fix one date in every 45 days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment be granted to any of the parties and in spite of any resolution of local bar, the proceedings of the case would continue and the participating advocates will not in any manner stall the proceedings. All stakeholders would cooperate with the trial court to conclude the trial at the earliest.

With the aforesaid observations, CRR 1056 of 2024 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.)