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20.02.2024
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C.R.R.1015 of 2023

In Re: An application under Section 482 read with Section 401 of the
Code of Criminal Procedure, 1973;

Rita Banerjee
Versus
State of West Bengal and another

Mr. Subhamoy Bhattacharya
Mr. Shankar Mukherjee.
...for the petitioner.

Petitioner has been implicated in connection with Complaint Case no.C/54279 of 2016 which is pending before the learned Metropolitan Magistrate, 6th Court, Calcutta. The said case is a proceeding under Section 138 of the Negotiable Instruments Act.

Learned advocate appearing for the petitioner submits that there has been lack of management by the learned advocate conducting the case on behalf of the petitioner before the learned trial court and, as such, certain documents and/or questions were not confronted or placed before the court in course of the trial. Petitioner intends to prefer a fresh application under Section 311 of the Code of Criminal Procedure.

Petitioner would prefer an application under Section 311 of the Code of Criminal Procedure afresh, if so advised within a fortnight from date. A copy of the same may be served upon the complainant/opposite party in due course and the application under Section 311 of the Code of Criminal Procedure may be disposed of in accordance with law by the learned Magistrate on the

next date so fixed. No unnecessary adjournment be granted to any of the parties and the pendency of the application under Section 311 of the Code of Criminal Procedure should not be a ploy to delay the trial.

With the aforesaid observations, CRR 1015 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.)