

D/L26
28.03.2024
Bpg.

C.R.R.1226 of 2024

In Re: An application under Section 483 read with Section 482 of the
Code of Criminal Procedure, 1973;

Ashwini Kumar Poddar
Versus
The State of West Bengal and others

Mr. Sunny Nandy
Ms. Riya Das.
...for the petitioner.

Petitioner is aggrieved by the fact that in spite of the order dated 3rd January, 2024 passed in Misc. Exe. 38 of 2023, no effect has been given to the order passed by the learned Metropolitan Magistrate, 19th Court, Calcutta.

Learned Metropolitan Magistrate, 19th Court, Calcutta would ensure regarding the process being effected against the accused persons.

So far as the main proceedings being CN Case No.225 of 2019 under Section 138 of the Negotiable Instruments Act is concerned, learned Metropolitan Magistrate, 19th Court, Calcutta would fix a separate date and proceed with the trial of the case. In case, the accused/opposite parties evade the process of law, the learned Magistrate would issue harsher process for ensuring their appearance so far as the trial of the case is concerned.

It is reiterated that the execution case for interim compensation and the main proceedings for trial of the case should be fixed on two separate dates and separate process relating to execution be effected through concerned police station. All efforts be

taken by the learned Metropolitan Magistrate, 19th Court, Calcutta for ensuring regarding interim compensation as the main proceedings commences in the year 2019 and more than five years have passed since then.

With the aforesaid observations, CRR 1226 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.)