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C.R.R.4986 of 2023

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

Akinchan Roy Chowdhury @ Akinchan Roychoudhury
Versus
The State of West Bengal and another

Mr. Subhasis Bandopadhyay.
...for the petitioner.

Petitioner is aggrieved by the progress of the trial in connection with C.R. Case No.1038 of 2019 pending before the learned Judicial Magistrate, 4th Court, Purba Bardhaman which is a case under Section 138 of the Negotiable Instruments Act.

Learned advocate appearing for the petitioner submits that although the case was initiated in the year 2019 but till date only the examination under Section 251 of the Code of Criminal Procedure is over and although dates have been fixed for evidence but no evidence till date has been recorded. For the last three years, according to the learned advocate, unnecessarily the case is being stretched.

I have considered the submissions of the learned advocate appearing for the petitioner and also taken into consideration the object and purpose for which the legislature brought into force the provisions of Section 138 of the Negotiable Instruments Act.

Having regard to the time period which has elapsed, that is, more than four years, I am of the view that the learned trial court

would fix at least one date in every two months so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournment should be granted to any of the parties.

All efforts be taken by the learned trial court as well as the parties to the litigation to conclude the trial at the earliest.

With the aforesaid observations, CRR 4986 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.)