

08.09.2025
Item No.2
Court No. 237
CHC

CRR 3535 of 2025

In Re:- An application under section 482/483 of the Code of Criminal Procedure corresponding to section 528/529 of Bharatiya Nagarik Suraksha Sanhita, 2023.

And

In the matter of : Miss. Tanusree Sarkar
..... petitioner

Mr. Moyukh Mukherjee, Advocate
Mr. S. Mandal, Advocate
...for the petitioner

1. This instant revisional application has been filed seeking direction upon the learned Trial Court for expeditious disposal of the proceeding in connection with A.C. Case No. 1487 of 2023 for the offence under Section 138 of the Negotiable Instruments Act.
2. It has been submitted on behalf of the petitioner that, the case was filed on July 6, 2023. After taking cognizance, case was transferred to the learned Judicial Magistrate, 5th Court, Alipore, South 24 Parganas. Complainant was examined under Section 200 Criminal Procedure Code by the learned Judicial Magistrate and summons was issued against the petitioner. Later one of the accused appeared in the case on October 10, 2023 and obtained bail. A petition was filed under Section 143A of the Negotiable Instrument Act. At that time, at the behest of the accused, the case records were sent by the learned Judicial Magistrate to learned Chief Judicial Magistrate, South 24 Parganas. The record was called upon

by the learned Additional Chief Judicial Magistrate in connection with an application being Misc. Petition No.10 of 2025. Accordingly, record was sent by the learned 5th Judicial Magistrate to the Court of learned Chief Judicial Magistrate, South 24 Parganas, Alipore.

3. It has been submitted on behalf of the learned advocate for the petitioner that, the petition under Section 143A of the Negotiable Instrument Act is still pending and the record was called for by learned Chief Judicial Magistrate.
4. Learned advocate for the petitioner also submits that, he has not yet been served by the Court of learned Chief Judicial Magistrate in respect of the petition being Misc. Petition No.10 of 2025. It is submitted that, the accused person is taking all steps to prevent the Court from disposal of this case at the earliest.
5. In the facts and circumstances of the present case, it would be appropriate to dispose of the instant revisional application by requesting the Learned Chief Judicial Magistrate, South 24 Pargangas, Alipore to dispose of the case being A.C. Case No.1487 of 2023 as early as possible without affording any unnecessary adjournment to either of the parties preferably within a period of six months from the date which is fixed in the trial court.
6. With the above directions/observations CRR 3535 of 2025 is dispose of.

7. Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Md. Shabbar Rashidi, J.)