

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

Before:

The Hon'ble Mr. Justice Jay Sengupta

CRR 3816 of 2025

Samir Sen
Vs.
Ashok Gope

For the Petitioner : Ms. Priyanka Sarkar,
Mr. Surojit Saha,
Mr. Aditya Ratan Tiwary,
Mr. Soumya Khan.

Heard on : 12.09.2025

Judgement on : 12.09.2025

Jay Sengupta, J. :

This is an application seeking an expeditious hearing in case no.CN 696 of 2018 under Section 138 of the Negotiable Instruments Act pending before the learned Judicial Magistrate, 16th Court, Calcutta.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the de facto complainant in this case. He filed a petition of complaint on 28.10.2018. On 05.12.2018, the learned Magistrate was pleased to issue summons against the opposite party. A warrant was issued on 15.07.2019. Finally on 28.09.2019, the opposite party pleaded not guilty. However, the matter kept on getting adjourned. Due to absence of the opposite party, warrant of arrest had to be issued again in 2021. Prosecution evidence was

over by 2023. On 19.12.2023, the opposite party was examined under Section 313 and then a date was fixed for DW. Till date, the proceeding has not been concluded. The proceeding has remained pending for no fault of the present petitioner.

No prejudice will be caused to anyone if a direction is passed to expedite a proceeding.

It appears that a delay has been occasioned in conducting the proceeding, especially as there are stipulations for an expeditious disposal of a case under Section 138 of the Negotiable Instruments Act.

Considering the above and in the interest of justice, I request the learned Trial Court to conclude the proceeding in accordance with law and as expeditiously as possible, keeping in mind the stipulations contained in the Special Act for expeditious disposal of a proceeding.

With these observations and directions, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)