

23.4.2026
47
BD

CRR 1359 of 2026

Sampa Sinha Basu
Vs.
State Bank of India

Sri Abhilash Chatterjee ...for the Petitioner

The petitioner who is an accused of a proceeding under section 138 of the N.I. Act, has preferred this application with a prayer for a direction upon the court below for expeditious disposal of the proceeding.

Being aggrieved by the inordinate delay caused in disposal of the proceeding, learned counsel for the petitioner submits that the complaint case was filed in the year 2022 wherein interim compensation in accordance with section 143 A of the Act was awarded to the opposite party/complainant and thereby he prayed for accommodation on several occasions for tendering his evidence but still even after elapsing of four years the recording of evidence of the complainant's witnesses has not yet been started violating the objective of section 143 of the Act. Therefore, he prayed for necessary direction.

Having heard learned counsel for the petitioner it appears that the prayer made by the petitioner is innocuous and if it is allowed in terms of the prayer made therein, the opposite party will have no cause to prejudice and as such, the service of copy of application upon the opposite party is hereby dispensed with.

Having heard learned counsel for the petitioner and that the statute mandates a time frame within which an application under section 138 of the NI Act is to be disposed of and that in the instant case inordinate delay has already occurred in final disposal of the proceeding, I find that the prayer made by the petitioner is justified and is required to be allowed for securing the ends of justice.

In such view of the matter, the instant application being CRR 1359 of 2026 is hereby disposed of with a direction upon the court below to make every endeavour in early disposal of the Complaint Case No. 131 of 2022 and to make its best endeavour to dispose of the said proceeding preferably within a period of six months from the next date of hearing.

Urgent Photostat certified copy of this order, duly applied for, be given to the parties upon compliance of all requisite formalities.

(Dr. Ajoy Kumar Mukherjee, J.)