07.10.2026
Serial no. 202
[Srimanta]
Ct. No. - 39

CRR/4046/2026

In re : An Application under Sections 528/529 of the Bharatiya Nagarik Suraksha Sanhita, 2023 corresponding to Sections 482/483 of the Code of Criminal Procedure, 1973

-And-

In the matter of : DAGA AUTO DISTRIBUTORS (TML)
… … Petitioner.

Mr. Tapas Dutta,
Ms. Rituparna Pachal

…For the petitioner.

1. This instant revisional application is at the behest of the complainant/petitioner, who had filed a complaint case being C/51375/2009 under Section 138 of the Negotiable Instruments Act, 1881 against the opposite parties and the same is pending before the Learned Judicial Magistrate, 5th Court, Calcutta.

2. The learned Counsel for the petitioner submits that after concluding the trial and arguments, the final judgment was delivered by the Trial Court vide Judgement dated 07.08.2013, thereby convicting the opposite parties.

3. Being aggrieved by and dissatisfied with the said judgment, the complainant preferred a criminal appeal being Criminal Appeal No. 179/2013. After hearing the parties, the learned Additional Sessions Judge, FTC-1,

Bichar Bhawan, City Sessions Court, Calcutta set aside the judgment dated 07.08.2013 passed by the learned Metropolitan Municipal Magistrate, 5th Court, Calcutta, arising out of the Complaint Case being C/51375/2009 and remanded the said case by directing the Trial Court to start the said case from the stage of argument and further directed to rehear the argument and pass judgment de novo. The said judgment was passed on 01.11.2025. Despite remanding such matter, the Trial Court could not conclude the arguments and pass judgment. Petitioners pray for expeditious disposal of the said complaint case.

4. Almost one year has already elapsed since the Judgement dated 01.11.2025. The prayer for expeditious disposal is genuine, simple and innocuous. Such prayer may be allowed. There is no impediment to directing the Trial Court to decide the same as expeditiously as possible.

5. Trial Court is directed to follow the order of the learned Additional Sessions Judge passed on 01.11.2025 as aforesaid and dispose of the same as expeditiously as possible without granting unnecessary adjournment to the parties independently and in accordance with law. This Court hopes and trusts that the Trial Court shall conclude the arguments as early as possible, if not already done and take it to its logical conclusion.

6. With the above observations, **CRR/4046/2026** is disposed of. Connected applications, if any, stand disposed of.

7 Let a copy of this order be communicated to the learned Trial Court for information and necessary steps.

8. All parties are to act on the server copy of this order duly downloaded from the official *website* of the Calcutta High Court.

9. Urgent xerox certified copy of this order, if applied for by the parties, same shall be supplied upon compliance of the necessary formalities.

(Ajay Kumar Gupta, J.)