07.10.2026
Serial no. 203
[Srimanta]
Ct. No. - 39

CRR/4047/2026

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 complaint case being CS/122629/2016 under Section 138 of the Negotiable Instruments Act, 1881 against the opposite party and same is pending before the Learned Judicial Magistrate, 14th Court, Calcutta.
2. It is submitted by the learned Counsel for the petitioner that after concluding the trial and arguments, the Trial Court delivered the final judgment dated 05.12.2023, thereby acquitting the opposite party.
3. Being aggrieved by and dissatisfied with the said judgment, the complainant preferred a criminal appeal being No. 205/2024. After hearing the parties, the learned Additional Sessions Judge, FTC-1, Bichar Bhawan, City Sessions Court,

Calcutta set aside the judgment dated 05.12.2023 passed by the learned Metropolitan Municipal Magistrate, 14th Court, Calcutta arising out of the Complaint Case No. 122629/2016 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 26.08.2025. Despite remanding such matter, the Trial Court could not conclude the arguments and pass judgment. The petitioners pray for expeditious disposal of the said complaint case.

4. More than one year has already elapsed since the Judgement dated 26.08.2025. 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. The Trial Court is directed to follow the order of the learned Additional Sessions Judge passed on 26.08.2025 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/4047/2026** is disposed of. Connected applications, if any, are also, thus, disposed of.
7. Interim order, if any, stands vacated.
8. Let a copy of this order be communicated to the learned Trial Court for information and necessary steps.
9. All parties are to act on the server copy of this order duly downloaded from the official *website* of the Calcutta High Court.
10. 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.)