

16.07.2026

Sl. No.15.

D/L.

Mithun.

Ct.No.29.

CRR/2776/2026

Dharmendra Sharma

Vs.

Sarwar Alam

Mr. Samrat Choudhury,
Mr. Sayan Ray

...for the petitioner

In this application, the petitioner is aggrieved and dissatisfied with the inordinate delay of 7 long years in the matter of conclusion of proceeding being C. Case No.3107 of 2019 under Sections 138/141 of the Negotiable Instrument Act, presently pending before learned Judicial Magistrate, 6th Court, Alipore.

Learned Counsel for the petitioner submits that petitioner being the complainant filed aforesaid C. Case No.3107 of 2019 on 31st May, 2019 and after examining the complainant on solemn affirmation on 05.08.2019, the Court below issued process against the opposite party/accused on 05.08.2019. The opposite party since then is absconding and the matter has been posted for execution report of the warrant of arrest for last 6 years. Therefore, he prayed for appropriate direction upon the Court below for expeditious disposal of the said proceeding after taking proper steps against the opposite party/accused.

Having heard learned Counsel for the petitioner, the service of copy of application upon the opposite party is dispensed with.

Having considered submission made on behalf of the petitioner and that the matter is pending for execution report for

last 6 years and the Court below is giving indulgence only fixing dates for execution report, I find that the prayer made by the petitioner is justified and required to be allowed to secure the ends of justice.

In view of above, the instant application being CRR 2776 of 2026 is hereby disposed of with a direction upon the Court below to make every endeavour for expeditious disposal of the proceeding being Complaint Case No.3107 of 2019 and if the accused is absconding, then he is directed to proceed further in terms of Sections 84/85 of the BNSS to secure the attendance of the accused/opposite party.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Dr. Ajoy Kumar Mukherjee, J.)