

Sr. 18
10-12-2020
s. d.
ct, no.42

CRR 3194 of 2019

In Re : **Meherban Sk. @ Meher** petitioner.

In the matter of : An application under Section 482 of the
Code of Criminal Procedure.

Ms. Minoti Gomes
Mr. Partha Sarathi Das
.....for the petitioner.

Mr. S. G. Mukherji, PP
Mr. Arijit Ganguly
...for the State.

Learned advocate appearing for the petitioner is aggrieved by the manner in which the NDPS Case No. 165 of 2018 is proceeding before the learned Special Court, NDPS Act, Berhampore, Murshidabad arising out of Barwan P. S. Case No. 173 of 2018 dated 27.05.2018.

According to the learned advocate for the petitioner, the petitioner is in custody for more than 900 days, yet only two witnesses out of number of witnesses have been examined till date.

In view of the aforesaid, Mr. Arijit Ganguly, learned advocate is directed to appear for the State.

Having considered the submissions advanced by the learned advocate for the petitioner, I am of the opinion that the learned Special Court should keep in mind the period of detention of about two and half years and only few witnesses being examined. To that aspect, the learned special court should consider taking up the trial of the case at least once in a month with a regular schedule and compel the witnesses to appear by exhausting the harsher process of law.

The learned special court is further directed to see that no unnecessary adjournment is prayed for on behalf of either of the parties. All efforts should be taken by the learned special court so that within a reasonable period of time, preferably by November, 2021 the final outcome of the case is pronounced by the trial court.

With the aforesaid observations, CRR 3194 of 2019 is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the petitioners upon compliance of all formalities.

(Tirthankar Ghosh, J.)