

CRR 6 of 2021

**Sri Rajesh Sharma @ Raju
Vs.
The State of West Bengal**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 in connection with Belgharia Police Station Case No. 836/2018 dated 12.12.2018 under Section 20 of the N. D. P. S. Act pending before the N.D.P.S. (Special Court), Barrackpore.

**Mr. Debasis Kar
Mr. Subhajit Chowdhury
.....For the Petitioner
Mr. S. G. Mukherjee, Ld. P. P.
Mr. Arijit Ganguly
.....For the State**

The petitioner is aggrieved by the progress of the case pending before the learned Special Court.

The contention of the petitioner is that he was arrested on 13.12.2018 and since then he is in custody. However, in spite of the charge sheet being filed, charges could not be framed for reasons which are not very much acceptable to the petitioner.

In view of the fact that the petitioner is in custody for more than two years and as has been submitted that the next date is fixed on 13.01.2021, I direct the learned Special Court to consider and overcome the stage of charge on the next date so fixed or within a week thereafter. The learned court thereafter would for the purposes of smooth progress of the trial direct its office to co-ordinate with the Public Prosecutor conducting the case regarding the availability of the witnesses and thereafter fix dates for the trial of the case. It is further directed that since the

petitioner is in custody for more than two years, regular schedule at least once in every two months must be fixed so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournment should be granted to either of the parties and in case any witness is absent without a reasonable cause, the learned trial court would be at liberty to exhaust harsher process of law.

With the aforesaid observations CRR 6 of 2021 is disposed of.

(Tirthankar Ghosh, J.)