

08.01.2021

Item No.24
Ct.No.42
dc.

**IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION**

C.R.R. 32 of 2021

**Mamata Pal
versus
The State of West Bengal**

In Re: An Application under Section 482 of the Code of Criminal Procedure, 1973 filed in connection with NDPS Case No. 142 of 2018 arising out of Amdanga P.S. Case No. 342 of 2018 dated 29.07.2018 under Sections 20(b)(ii)(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 pending before the learned Additional District Judge (Special Court under the NDPS Act), 6th Court, Barasat, North 24-Parganas.

Mr. Arnab Chatterjee ... For the Petitioner.

Mr. Madhusudan Sur,
Mr. Dipankar Paramanick ... For the State.

The petitioner is aggrieved by the manner in which the trial of the case is progressing before the learned Additional District Judge (Special Court under the NDPS Act), 6th Court, Barasat, North 24-Parganas. The grievance of the petitioner is that she was arrested on or about July 2018 and since then, she is in custody although charge has been framed on 31.08.2019 but only four witnesses out of nine witnesses have been examined by the prosecution.

The learned advocate for the petitioner is directed to serve a copy of the application upon Mr. Madhusudan Sur, learned advocate who ordinarily appears for the State.

In view of the fact that the petitioner is in custody for more than 30 months, I am of the opinion that the learned

trial court should take steps for expediting the progress of the trial of the case. It has been submitted that the next date is fixed on 21.01.2021. The learned trial court after the aforesaid date, would fix schedule of at least three dates on each and every month and the dates so fixed, would be after the learned public prosecutor assures the court regarding the availability of the witnesses.

No unnecessary adjournment should be granted to either of the parties and in case, any of the witnesses are absent on vague or flimsy grounds, the learned court below would be at liberty to exhaust harsher process of law.

The learned trial court should take all efforts so that the final outcome can be declared by September 2021.

With the aforesaid observations, CRR 32 of 2021 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance with the necessary formalities.

(Tirthankar Ghosh, J.)