

Sr. 41
07-01-2021
s. d.
ct, no.42

CRR 43 of 2021

Uchman Molla alias Osman Molla

-versus-

The State of West Bengal

In the matter of : An application under Section 482 read with Section 483 of the Code of Criminal Procedure filed on 7th January, 2021 in connection with Case No. N—165/2018 arising out of Nazat P. S. Case No. 231 of 2018 dated 24.08.2018 under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act, 1985 pending before the learned Additional District and Sessions Judge, 6th Court, Barasat, North 24 Parganas.

Mr. Angshuman Chakraborty
Mr. S. S. Saha

.....for the petitioners.

Mr. Madhusudan Sur
Mr. Md. Anwar Hossain

....for the State.

Leave is granted to the petitioner to amend the cause title.

The petitioner is in custody since 24.08.2018 i.e., for more than three years four months. The grievance of the petitioner is that although chargesheet was submitted on November, 2018 and supplementary chargesheet was submitted on November, 2019, but till date the case could

not proceed at the evidence stage although the charge was framed on 17th December, 2020.

The learned advocate for the petitioner submits that there are seven witnesses and majority of the witnesses, if not all, belong to the Government Department.

In view of the long detention of the petitioner, I direct the learned trial court to fix schedule of the case on each and every month on and from March, 2021. The learned trial court would see that its office would communicate with the learned Public Prosecutor conducting the case, so that dates of the case are fixed only 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 if any witness is absent without any sufficient cause or in any flimsy ground, the learned court would be at liberty to exhaust the harsher process of law. All efforts must be taken by the learned trial court so that the trial of the case can be concluded by January, 2022.

With the aforesaid observations, CRR 43 of 2021 is disposed of.

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

(Tirthankar Ghosh, J.)