

CRR 55 of 2021

Ankit Tiwari
Vs.
The State of West Bengal

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973.

Mr. S. G. Chowdhury
Mr. Argha Das
.....For the Petitioner
Mr. Madhusudan Sur, Ld. A. P. P.
Mr. Dipankar Paramanick
.....For the State

This is an application under Section 482 of the Code of Criminal Procedure with a view to securing a direction for expeditious disposal of a pending case, vide N. D. P. S. Case No.2 of 2020 of learned Additional Sessions Judge Cum Judge Special Court, Hooghly.

The petitioner is alleged to be undergoing custody, since 2nd January, 2020 for recovery of 1.7 litres codeine mixture.

Learned advocate Mr. S. G. Chowdhury representing the petitioner submits that the trial of this case is getting delayed for non-collection of the chemical report.

The report was called for previously, by order dated 8th January, 2021 for intimating the court as to whether chemical examiner's report had already been collected or not.

Mr. Madhusudan Sur, learned advocate representing the State produces the report. Let the same be kept on record.

It appears from the report that chemical examiner's report has already been collected following which supplementary charge sheet has been submitted on 12th January, 2021.

Upon perusal of the xerox certified copy of the order of the learned court below it appears that the trial court has posted the case awaiting chemical report. Since report has already been collected leading to the submission of supplementary charge sheet, the trial court may suitably proceed further fixing date for consideration of charge. With the commencement of trial, date or dates may be scheduled for collection of the evidence taking support of the learned conducting prosecutor, so that the date or dates, so scheduled may be effectively utilized to ensure expeditious disposal of the pending case for protecting the personal liberty of the custody accused.

With these directions and observations the revisional application is disposed of.

(Subhasis Dasgupta, J.)