22.01.2021
Item no.19
Ct. No.42
CHC

C.R.R. No.126 of 2021
(Physical Hearing)

In Re: An application under Section 482 read with Section 483 of the Code of Criminal Procedure.

In the matter of:-

Mrityunjay Saha

.....petitioner

Mr. Angshuman Chakraborty,
Mr. S. S. Saha

... for the petitioner

Mr. Saswata Gopal Mukherji, Ld. P.P.
Md. Anwar Hossain

... for the State

This Court is approached under Section 482 of the Cr.P.C. soliciting a direction for expeditious disposal of a case under N.D.P.S. Act, vide Case No. N 88 of 2019, now pending before learned Additional District and Sessions Judge, 6th Court, (Special Court under N.D.P.S. Act) Barasat, North 24 Parganas.

The principal contention raised by Mr. Chakraborty, learned advocate for the petitioner is against the delayed submission of the chemical report, which was submitted on 2nd February, 2021, causing protraction of the trial.

Admittedly, the copy of the chemical report has already been supplied to the petitioner. The next date before learned court below is submitted to be fixed on 2nd February, 2021.

Md. Hossain, learned advocate representing the State submits that the court is about to fix a date for consideration of the charge so as to make commencement of the trial.

It is further submitted by Md. Hossain that the impact of COVId-19 surfaced over the entire country has largely disturbed the ordinary function of judiciary and the same must be taken in view while making disposal of this case.

Having considered the submission of both sides and bearing in mind impact of COVID-19, the Court is of the opinion that the instant revisional application may be disposed of, so as to sub-serve the purpose of justice, as proposed to be obtained from this Court by passing the following direction.

Learned court below is directed to fix a date suitably for consideration of the charge, subject to the congestion of cases pending in the court of similar nature, and proceed with the trial making commencement thereof aiming at, ensuring expeditious disposal of the pending case, without granting any unnecessary adjournment, unless it is extremely unavoidable, taking support and assistance from the learned prosecutor conducting the trial.

With this direction/observation, the instant revisional application stands disposed of.

All parties shall act in terms of copy of this order downloaded from the official website of this Court.

Urgent Xerox certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Subhasis Dasgupta, J.)