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CRR 135 of 2021

(Via Video Conference)

In the matter of : Md. Meraj Sk.
....Petitioner

Mr. Somnath Banerjee
Mr. Pronojit Roy
...for the petitioner

Mr. Bidyut Kr. Roy
Ms. Rita Dutta
..for the State

This is an application filed by the accused /petitioner praying for an appropriate order and /or direction upon the learned Judge, NDPS Act, Berhampore, Murshidabad to dispose of Lalgola Police Station Case No.257 of 2017 dated 13.06.2017 under Section 21(c) /29 of the Narcotic Drug and Psychotropic Substance (NDPS) Act, (NDPS 240 of 2017).

Mr. Bidyut Kumar Roy with Ms. Rita Dutta who generally represent the State are requested to represent the State of West Bengal, O.P. herein in the instant case to which they have agreed.

Copy of the revisional application is served upon the learned advocates for the State of West Bengal.

The matter is taken up for hearing.

The learned advocate for the petitioner at the outset draws my attention to a copy of the order passed in CRR No.2964 of 2019 dated 16th December, 2019 passed by a Co-ordinate Bench of this Court.

On perusal of the said order it is ascertained that the learned Special Court, NDPS Act was directed to fix a schedule of this case at least once in every 45 days with three consecutive dates in a schedule. The learned trial Judge was further directed to take all efforts to conclude the trial as early as possible. Grievance of the petitioner is that he is in custody for about three and half years and he is anxiously waiting for conclusion of the trial and disposal of the case. In spite of the order being passed by this Court on 16th December, 2019, the learned trial Court was able to examine only three witnesses out of 13 charge sheeted witnesses. It is further submitted by the learned advocate for the petitioner that the remaining witnesses are police personnel and their attendance can easily be obtained.

Mr. Roy, learned advocate for the State of West Bengal also submits that trial of a criminal case should be concluded without unnecessary delay.

Having heard the learned advocates for the petitioner and the State of West Bengal, the instant criminal revision is disposed of by directing the learned

trial Court to examine the remaining witnesses in connection with this case within three months from the date of communication of this order without giving any adjournment to either of the parties. The learned trial Judge is further directed to dispose of the NDPS Case No.240 of 2017 within four months from the date of delivering judgment on conclusion of trial.

The petitioner is at liberty to communicate this order to the learned trial Judge obtaining server copy of the same and the learned Court below is directed to act on the server copy without insisting certified copy of the order passed by this Court.

The instant criminal revision is thus disposed of on contest, however, without costs.

(Bibek Chaudhuri, J.)