

22.1.2021

ks.

Ct. 42, sl.20

CRR 137 of 2021

Gopal Biswas alias Satya

vs

State of West Bengal

Mr. Angshuman Chakraborty

...For the petitioner.

Mr. S.G. Mukherjee, Id.P.P.,

Mr. Arijit Ganguly

... For the State.

This Court is approached with a prayer soliciting a direction to ensure expeditious disposal of a case under NDPS Act bearing no. N 06 of 2019 now pending before the learned Additional District & Sessions Judge, 6th Court, Barasat (Special Court under NDPS Act).

The prime contention raised by Mr. Chakraborty is against the delay caused in framing of charge against the accused persons, though four dates previously fixed therefor remaining unutilised.

Mr. Mukherjee, learned Public Prosecutor representing the State submits that due to the intervention of the Covid-19, the dates though fixed for framing of charge could not be utilized on the ground that accused person went un-produced, and in the meantime the prayer for bail, though advanced by the petitioner has already been rejected. Mr. Mukherjee further submits that delay caused in the framing of charge is due to intervention of Covid-19, which may be taken in view, while making consideration of the prayer of the petitioner, as advanced.

Having considered the submissions of both sides and bearing in mind of the impact of the Covid-19, the court is of the view

that the revisional application may be disposed of so as to subserve the purpose of justice as proposed to be obtained from this court by giving the following directions.

Learned court below is directed to make effective utilization of the date, fixed for consideration of the charge, and thereafter post the date suitably to dates, subject to the congestion of the cases of similar nature pending in his court, and proceed thereafter in a befeating manner so as to ensure expeditious disposal, taking support of the learned Public Prosecutor conducting the trial, but without granting any unnecessary adjournment, unless it is unavoidable.

With these directions and observations, the revisional application stands disposed of.

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

(Subhasis Dasgupta, J.)