

29.01.2021
Item No.6
Ct. No.42
CHC

**C.R.R. No.152 of 2021
(Physical Hearing)**

In Re: An application under Article 227 of the Constitution of India.

In the matter of:-

Mostafa Mandal @ Mosto
.....petitioner

Md. Younush Mondal
... for the petitioner

Mr. Saswata Gopal Mukherji, Ld. P.P.,
Mr. Md. Anwar Hossain,
Ms. Sreyashee Biswas,
Mr. Navonil De
... for the State

The Court is approached under Section 482 Cr.P.C. soliciting a direction to ensure expeditious disposal of a pending N.D.P.S. Case of learned Additional Sessions Judge, 6th Court, Barasat, North 24 Parganas, vide case no. N-78/2019.

Chemical report submitted by the State be taken on record.

Learned advocate for the petitioner submits that the delay caused in the submission of chemical report has substantially caused contribution leading to protraction of the trial.

It is further submitted that since the accused is in custody for the alleged recovery of contraband, above the commercial quantity, the case of the petitioner needs to be disposed of expeditiously.

Mr. Mukherji, learned P.P. representing the State submits that the chemical report has already been collected and the investigating agency is going to submit a supplementary charge-sheet before the learned court below shortly.

That being the position, the grievance expressed by the petitioner with regard to the delayed submission of the chemical report stands at bay. However, the instant revisional application may be disposed of bearing in mind the impact of COVID-19, surfaced over the entire country disturbing the ordinary function of Court to a large extent, so as to subserve the purpose of justice, as proposed to be obtained, by giving direction mentioned as hereunder.

Learned court below is directed to expeditiously fix date for the consideration of charge after supplying copies of the chemical report to the petitioner, so as to make commencement of the trial, and after the commencement of the trial, the learned trial court would be at liberty to go ahead with the trial, aiming at expeditious disposal of the pending case taking support of the ld. prosecutor entrusted with this case, without granting any unnecessary adjournment, unless it is extremely unavoidable.

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.)