

29.01.2021
Item No.7
Ct. No.42
CHC

**C.R.R. No.174 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:-

Chandan Das
.....petitioner

Mr. Subhadeep Ghosh
... for the petitioner

Mr. Arijit Ganguly,
Mr. Sanjib Kr. Dan
... 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 District and Sessions Judge, 6th Court, vide case no. N/233 of 2019.

Mr. Ghosh, learned advocate representing the petitioner submits that the petitioner is in custody for more than one year for the alleged recovery of contraband, above the commercial quantity.

It is further submitted by the petitioner that since the accused is in custody, the case against him needs to be expeditiously disposed of.

Mr. Ganguly, learned advocate representing the State submits that no such delay, as alleged, has been occasioned in this case

requiring intervention by this Court so as to protect the personal liberty of the petitioner.

It is further submitted by the learned advocate for the State that the Court has already fixed next date i.e. on 10th February, 2021 for consideration of the charge.

Admittedly, in this case, supplementary charge-sheet has been submitted on 16.12.2020.

Having considered the rival submission of the parties and bearing in mind the impact of COVID-19, surfaced over the entire country disturbing the ordinary function of Court to a large extent, the Court is of the view that instant revisional application may be disposed of, 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 make effective utilization of the date already fixed for consideration of charge, and if for any reason whatsoever the same goes unutilized, the date may be fixed within three weeks thereafter for consideration of the charge and after framing charge, the learned trial court would be at liberty to go ahead with the trial aiming at expeditious disposal, taking support and cooperation from the learned Prosecutor, without granting 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.)