

25.1.2021

ks.

Ct. 42, sl.11

CRR 177 of 2021

Suvendu Mondal @ Joy

vs

State of West Bengal

Mr. Husen Mustafi

... For 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-56 of 2019 now pending before the learned Judge (Special Court), Barrackpore for alleged recovery of contraband, above the commercial quantity.

Mr. Mustafi, learned Advocate representing the petitioner submits that in spite of the dates already fixed previously by the court concerned, charge has not been framed against the accused leading to harassment and protraction in the case. The prime thrust is against the delay caused in the commencement of the trial.

Mr. Ganguly, learned Advocate representing the State submits that due to the intervention of the Covid-19, the ordinary function of the court has been largely disturbed, which may be taken in view, and this may cause little delay in the commencement of the trial.

When date has already been fixed for consideration of the charge, the court is of the view that the instant revisional application may be disposed of, so as to sub-server the purpose

of justice as proposed to be obtained by giving the following directions.

Learned court below is directed to make effective utilization of the date, fixed for consideration of the charge, taking support of the learned Public Prosecutor conducting the trial, but without granting any unnecessary adjournment, unless it is unavoidable.

Learned Advocate for the petitioner proposes for fixing an outer limit regarding conclusion of the trial, as there has been a similar order passed in this case to ensure expeditious disposal. Bearing in mind the impact of the Covid-19, it would be neither be feasible nor admissible at the moment to fix any outer limit for the conclusion of the trial. However, the court believes and reposes confidence that the learned court below would sincerely put his endeavour to expeditious dispose of the pending case upon sensing the pious message, already contained in this order and the previous order dated 17.1.2020.

With this direction and observation, 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.)