

25.1.2021

ks.

Ct. 42, sl.22

CRR 205 of 2021

Anarul Mistri

vs

State of West Bengal

Ms. Malashree Ghosh

... For Petitioner.

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

Mr. Arijit Ganguly

... For the State.

Liberty is given to correct the cause title.

The court is approached under Section 482 Cr.P.C. soliciting a direction to ensure expeditious disposal of a pending NDPS case of learned 6th Additional District & Sessions Judge, Basrasat vide case No.N-195/2019.

Learned Advocate Ms. Malashree Ghosh, representing the petitioner submits that the petitioner is in custody for more than 14 months for the alleged recovery of contraband, above the commercial quantity, but till date there has been no commencement of the trial leading to protraction of the trial.

Mr. Ganguly, learned Advocate representing the State advertizing to the last order recorded by the learned court below against the order dated 24th December, 2020 submits that the learned court below has already fixed a date for consideration of the charge on 15th March, 2021.

Upon perusal of the xerox certified copy of the lower court's order, it appears that on 11th December, 2020 a supplementary charge-sheet was submitted and thereafter date has been fixed after supplying copies to the petitioner with a chemical report, already submitted in this case.

Mr. Ganguly submits that the impact of the Covid-19 has disturbed largely the ordinary function of the court, which must be taken in view while disposing of the instant revisional application.

When the 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-serve the purpose of justice, as proposed to be obtained from this court, by giving a direction mentioned as hereinbelow.

Learned court below is directed to make effective utilization of the date so far fixed for consideration of the charge and if for any reasons, the same goes unutilised, the same may be frame within three weeks thereafter taking support and co-operation from the learned Public Prosecutor, and thereafter proceed with the trial aiming at expeditious disposal, without granting unnecessary adjournment, unless it is extremely unavoidable.

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.)