

2.3.2021

**ks.**

Ct. 42, sl.13

**CRR 505 of 2021**

Sk. Hasan @ Subho

vs

State of West Bengal

Mr. Sudip Ghosh Chowdhury,

Mr. Abhishek Bose,

Mr. Argha Das

... For Petitioner.

Md. Anwar Hossain,

Ms. Sreyashee Biswas

... For the State.

Mr. Sudip Ghosh Chowdhury, learned Advocate produces a notice before the court in proof of service of notice upon the State and undertakes to furnish affidavit-of-service in course of the day, as the same is under preparation.

Despite service none appears for the State.

Mr. Hossain, is present in court, who ordinarily defends State being an empanelled learned Advocate representing the State.

The appearance of Mr. Hossain be regularised on the strength of this order so far as this case is concerned.

The court is approached under Section 482 Cr.P.C. soliciting a direction to ensure expeditious disposal of a NDPS case being No.24 of 2018 now pending before the learned Additional District Judge, Special Court, Hooghly under Section 21(c) of the NDPS Act. Admittedly, the petitioner is the custody accused, and he is in detention since 14<sup>th</sup> April, 2018 for the alleged recovery of contraband, above the commercial quantity. The only contention expressed by the learned Advocate for the petitioner is that since

the accused is in custody, the case of the custody accused deserves to be disposed of expeditiously.

Mr. Hossain, learned Advocate representing the State submits that in this case charge has already been framed and the court has already scheduled dates for collection of evidence and in the meantime, one of the witnesses has already been examined, out of nine charge-sheeted witnesses. Mr. Hossain thus has persuaded the court to understand that in spite of the pandemic, the court has sincerely proceeded to reach to the logical conclusion of the trial expeditiously, as possible.

It cannot be disputed by any of the parties to this case that impact of Covid-19 has disturbed the ordinary function of the court to a large extent.

Having considered the rival submission of both the parties and bearing in mind the impact of Covid-19, 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, giving direction mentioned as hereunder.

Learned court below is directed to make effective utilization of the dates, so far scheduled for collection of evidence, taking support and co-operation from both the parties, aiming at ensuring expeditious disposal of the pending case, without granting unnecessary adjournment to either of the parties, unless it is extremely unavoidable.

Since the accused person is in custody, the learned court below shall endeavour to accommodate the case giving short

dates to the extent possible, subject to the congestion of similar nature of cases pending in his court.

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.)**