

03.03.2021
Item no.11
Ct. No.42
CHC

**C.R.R. No.507 of 2021
(Via Video Conference)**

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973.

In the matter of:-

Probir Roy @ Ghochu
.....petitioner

Mr. Sudip Ghosh Chowdhury,
Mr. Argha Das,
Mr. Abhishek Bose
....for the petitioner

Mr. Saswata Gopal Mukherji, Ld. P.P.
Mr. Partha Pratim Ghosh,
Ms. Aindreela Chakraborty
...for the State

The Court is approached under Section 482 Cr.P.C to ensure expeditious disposal of a case being N.D.P.S. Case No.27/2020, now pending before the learned Additional Sessions Judge cum Judge, Special Court, Hooghly under Sections 20(b)(ii)(c) N.D.P.S. Act.

Learned advocate, Mr. Sudip Ghosh Chowdhury representing the petitioner submits that petitioner is in custody since 11th June, 2020 and till date charge could not be framed against the petitioner and thus the trial of this case is getting delayed due to non collection of the chemical report.

Mr. Partha Pratim Das, learned advocate representing the State submits that the case is at the early stage awaiting chemical examination report in the interest of making consideration of charge.

Admittedly, the accused is in custody. The case of the accused deserves to be expeditiously disposed of. It cannot be disputed by any of the parties to this case that onset of COVID 19 has largely disturbed the ordinary function of the court.

Having considered the rival submission of both sides 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 subserve the purpose of justice, as proposed to be obtained, giving direction mentioned as hereinbelow.

The learned court below is directed to expeditiously collect the chemical examination report, and after collection of the report short date may be fixed for making consideration of the charge aiming at ensuring expeditious disposal of the pending case. While making such exercise, the learned court below is advised not to grant any unnecessary adjournment, unless it is extremely unavoidable.

Petitioner is given liberty to make a prayer before the learned court below for collection of the chemical report in an expeditious manner so as to go ahead with the trial. If any such application is filed by the petitioner, the same shall be considered upon sensing the purport of the message contained in the instant order.

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.)