

16.04.2021
Item No.7
Ct. No.42
CHC

**C.R.R. No.691 of 2021
(Through Video Conference)**

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

In the matter of:-

Ujjal Nath
.....petitioner

Mr. Debayan Ghosh,
Mr. Koustav Bagchi
... for the petitioner in virtual mode

Md. Anwar Hossain
... for the State

The Court is approached under Section 482 of the Code of Criminal Procedure soliciting a direction to ensure expeditious disposal of N.D.P.S. Case No. N - 112 of 2019, under Sections 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, now pending before the Learned Additional District and Sessions Judge, 1st Court at Barrackpore, being the Special Court under N.D.P.S. Act, North 24 Parganas.

The sole contention of the petitioner is the delay caused in the commencement of the trial.

The copy of the revisional application has not been served upon the State.

Mr. Hossain is present in Court, who ordinarily defends the State being an empanelled learned Junior Government Advocate.

Since an expeditious direction has been sought for, for the delay caused in the commencement of the trial, the Court is of the view that this revisional application may be disposed of upon serving a copy of the same to Mr. Hossain for the proper address of the issue involved in this case.

Upon perusal of the materials contained in the record, Mr. Hossain, learned advocate submits that the Court has already fixed date for consideration of the chemical report and as such no direction is necessary.

Having considered the submission of both sides, the Court is of the view that the instant revisional application may be disposed of by passing following direction.

Learned court below is directed to make consideration of the charge upon collection of the chemical report, if not already collected in the meantime, either on the date so fixed for the purpose, or if for any reason whatsoever, the same could not be done, the charge may be framed peremptorily within one month thereafter upon collection of the chemical report, so as to go ahead with the trial of this case, with an aim to ensure expeditious disposal, and if necessary upon resorting to section 309 Cr.P.C.

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.)