

CRR 1003 of 2020

**Mahabur Gazi
Vs.
The State of West Bengal**

Re: An application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973 in connection with Swarupnagar Police Station Case No. 948/2019 dated 04.11.2019 under Section 21 (c) of the N. D. P. S. Act, 1985 pending before the learned Additional Sessions Judge, 6th Court, Barasat, North 24 Parganas.

**Ms. Sonali Das
.....For the Petitioner
Mr. S. G. Mukherjee, Ld. P. P.
Mr. Arijit Ganguly
.....For the State**

Report so submitted be kept with the record.

The petitioner is aggrieved by the manner in which the proceeding of Swarupnagar Police Station Case No. 948/19 dated 04.11.19 is progressing.

A report was called for from the Officer-in-charge, Swarupnagar Police Station and it is reflected from the report that supplementary charge sheet was filed on 30.12.20 before the learned Special Court.

Having regard to the fact that the petitioner is in custody since 04.11.2019 and charge is yet to be considered by the learned trial court, I direct the learned trial court to overcome the stage of consideration of charge on the next date so fixed or within a week thereafter. The learned trial court would take steps by fixing regular schedule at regular intervals so that the

trial of the case can be taken to its logical conclusion within a reasonable period of time. The learned trial court would also direct its office to communicate with the Public Prosecutor conducting the case who will give assurance regarding the availability of the witnesses and thereafter dates would be fixed by the court.

No unnecessary adjournment should be granted to either of the parties and in case any witness is absent without a reasonable cause, the learned trial court would be at liberty to exhaust harsher process of law.

The learned trial court would proceed with the case keeping in mind the spirit of Article 21 of the Constitution of India.

With the aforesaid observations CRR 1003 of 2020 is disposed of.

(Tirthankar Ghosh, J.)