

151 22.03.2021
NB

CRR 852 of 2021

Ct. No. 32

In the matter of:- Arsadul Mondal

...petitioner

Mr. Shashanka Shekhar Saha
...for the petitioner.

Mr. Bidyut Kumar Roy,
Mr. Pratick Bose.
...for the State.

This is an application seeking an expeditious disposal of a proceeding in which a charge sheet was submitted under Section 21(c) of the Narcotic Drugs and Psychotropic Substances Act.

Let a copy of this application be served upon Mr. Bidyut Kumar Roy and Mr. Pratick Bose, learned Counsels who ordinarily appear on behalf of the State and who are present in Court today. Their engagement may be regularised by the competent authority of the State in due course.

Learned Counsel appearing on behalf of the petitioner submits as follows. The petitioner is an accused in this case and he is in custody since the date of his arrest i.e. 30.01.2019. On 28.05.2019, charge sheet was submitted citing 09 prosecution witnesses. On 14.09.2019, charges were framed. But, thereafter, till date, not a single witness could be examined. This is despite an earlier direction passed by this Court on 15.01.2021 in CRR 88 of 2021 directing expeditious disposal of the proceeding. After the said order was brought to the notice of the learned Court, although the learned Trial Court fixed a date for evidence, the prosecution did not take any steps at least on two occasions. Thereafter, on 17.02.2021, the next date was fixed for evidence nearly after five months. The proceeding has remained pending for no fault on the part of the present petitioner.

Learned Counsel appearing on behalf of the State submits that in the interest of justice, the proceeding ought to be expedited.

I have heard the submissions of the learned Counsels appearing on behalf of the petitioner and the State and have perused the revision petition.

It appears that till the framing of charge not much delay was occasioned in this case. However, after the framing of charge, the prosecution did not take steps on a few dates. On 17.02.2021, a schedule for evidence was fixed after nearly five months.

Since the petitioner is in custody since the date of his arrest i.e. 30.01.2019, I request the learned Trial Court to prepone the next date of hearing to any date in the month of May, 2021 and continue with the trial from then on and conclude the proceeding as expeditiously as possible without granting any unnecessary adjournment to any of the parties, preferably within a period of one year from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)