

22.4.2021

ks.

Ct. 42, sl.23

CRR 902 of 2021
(Via video conference)

Firoj Gazi
vs
The State of West Bengal

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

The court is approached under Section 482 Cr.P.C. soliciting a direction to ensure expeditious disposal of a NDPS case being No. N-234/2019 now pending before the learned Additional Sessions Judge, 6th Court, Barasat.

The principal grievance expressed by the petitioner is that there has been delay caused in the commencement of the trial resulting in serious prejudice caused to the petitioner, who is in custody for the alleged recovery of the contraband.

Mr. Ganguly, learned Advocate representing the State submits that court has already fixed date for consideration of the charge in spite of the pandemic having continued over the entire State.

Having considered the submission of both sides, 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 hereunder.

The learned court below is directed to make consideration of the charge either on the scheduled date, or if for any reason whatsoever, the same could not be done, the charge may be framed within eight weeks thereafter providing sufficient

opportunity of hearing to either of the parties with an aim to ensure expeditious disposal of the pending case. It is clarified that upon commencement of the trial, the court will be free to take resort to Section 309 Cr.P.C so that logical conclusion of this case may be reached within a reasonable period of time.

With this direction and observation, the instant 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.)