

22.04.2021
Item No.22
Ct. No.42
CHC

**C.R.R. No.901 of 2021
(Through Video Conference)**

In Re: An application under Section 482 read with Section 401 of the Code of Criminal Procedure, 1973.

In the matter of:-

Kamarul Sardar

.....petitioner

Mrs. Sonali Das

... for the petitioner in virtual mode

Mr. Saswata Gopal Mukherji, Ld. P.P.

Mr. Rudradipta Nandi

... 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 being Case No. N 141 of 2019, now pending before the learned Additional District and Sessions Judge, 6th Court, (Special Court), Barasat.

Adverting to 'paragraph-9' of this revisional application, learned advocate appearing in virtual mode for the petitioner submits that in spite of a specific direction, passed in C.R.M.9827 of 2020, communicated to the learned court below, the pending case could not be disposed of.

It is also contended by the petitioner that petitioner is in custody for the last eighteen (18) months, for the alleged recovery of the contraband, above the commercial quantity, and the case

should have been disposed of in an expeditious manner having understood the purport of the message contained in C.R.M.9827 of 2020 of High Court.

Mr. Saswata Gopal Mukherji, learned P.P. along with Mr. Rudradipta Nandi, learned advocate representing the State submits that by this time the Court has already examined three witnesses, out of five chargesheeted witnesses, and the last date fixed for examination of the I.O. could not be utilized for the said witnesses having not turned up.

Having considered the submission of both sides, the Court is of the view that the instant revisional application may be disposed of giving direction mentioned as hereunder.

Learned court below is directed to make effective utilization of the dates so fixed, and if necessary, upon resorting to steps available under Section 309 Cr.P.C. so that the logical conclusion of this case may be reached, upon sensing the purport of the message contained in C.R.M.9827 of 2020 of High Court, within a reasonable period of time.

Learned Prosecutor present in court below is directed to ensure his cooperation so that the witness scheduled for examination may turn up on the date fixed by the learned court below.

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.)