

13.04.2021
Item No.39
Ct. No.42
CHC

**C.R.R. No.909 of 2021
(Physical Hearing)**

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

In the matter of:-

Abbas Mondal alias Babu
.....petitioner

Mr. Shashanka Shekhar Saha
... for the petitioner

Mr. Madhusudan Sur, Ld. A.P.P.
Mr. Dipankar Paramanick
... for the State

The Court is approached under Section 482 Cr.P.C. soliciting a direction to ensure expeditious disposal of N.D.P.S. Case No.N 61/2020, under Section 21(C) of N.D.P.S. Act, now pending before Learned Additional District and Sessions Judge, 6th Court, Barasat, North 24 Parganas.

Having considered the submission of learned advocate for the petitioner raising the grievance for delay caused in the commencement of the trial in spite of accused remaining in custody, for the alleged recovery of the contraband, above the commercial quantity, requiring expeditious disposal, and the counter submission of learned advocate representing the State transpiring the progress of the case, the Court is of the view that the instant revisional application may be disposed of so as to

subserve the purpose of justice, as proposed to be obtained, giving a direction mentioned a hereunder.

Learned court below is directed to consider the charge either on the date so scheduled, or if for any reason whatsoever the same could not be done, the charge may be framed within one month thereafter peremptorily, providing sufficient opportunity of hearing to either of the parties to this case with an aim to ensure expeditious disposal, and if necessary upon resorting to steps available under Section 309 Cr.P.C. If any application for preponement of the date is filed by the petitioner upon notice to the learned Prosecutor, the same is left to be decided by the learned court below keeping in view the congestion of similar type of cases placed in the board of 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.)