

C.R.R. 1068 of 2021
(Through Video Conference)

In the matter of: Raja Roy & Ors.

....petitioners.

Mr. Angshuman Chakraborty,
Mr. S. S. Saha

...for the petitioners.

Mr. S. G. Mukherjee, Ld. P.P.,
Mr. Anwar Hossain,
Ms. Ayantika Ray

...for the State.

The Court is approached under Section 482 Cr.P.C. soliciting a direction to ensure expeditious disposal of a pending NDPS case bearing No. N 72/19 arising out Matia P.S. Case No.109/19 under Sections 21(C)/29, now pending before the court of Learned Additional District and Sessions Judge, 6th Court, Barasat, North 24 Parganas under NDPS Act.

Mr. Mukherjee, in virtual mode representing the petitioner submits that there has been delay caused in the commencement of the trial even for the accused remaining in custody for the alleged recovery of the contraband, above the commercial quantity. Copy of the revisional application has not been served upon the State. Since expeditious direction in simplecitor is the only prayer as regards disposal of the pending case, the Court is of the view that the instant revisional application may be disposed of upon serving a copy of the revisional application to Mr. Mukherjee, learned Public Prosecutor for the State.

Upon perusal of the materials placed in the record,

learned advocate Mr. Mukherjee, representing the State contends that Court has already taken sufficient steps for consideration of the charge, and it is duty to the impact of Covid-19, the desired extent could not achieved.

Having considered the submissions of both sides, the Court is of the view that the revisional application may be disposed of, so as to sub-serve the purpose of justice, as proposed to be obtained giving directions mentioned as hereunder.

Leaned court below is directed to make consideration of the charge either on the scheduled date, or if for any reasons whatsoever, the same could not be done, the charge may be framed within six weeks thereafter peremptorily, providing an opportunity of hearing to either of the parties to this case, upon viewing the chemical report, with an aim to ensure expeditious disposal of the pending case, and if necessary steps may be taken, as available under Section 309 Cr.P.C., so that logical conclusion of the case may be reached within a reasonable period of time.

With the aforesaid direction and observation the revisional application is disposed of.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Subhasis Dasgupta, J.)