

22.2.2021

ks.

Ct. 42, sl.12

CRR 1166 of 2021

(Via video conference)

Shyamal Kundu

vs

The State of West Bengal

Mr. Snehansu Majumder

... For Petitioner.

Mr. Saswata Gopal Mukherjee,

Mr. Arijit Ganguly,

Mr. Sanjib Kumar Dan

... For the State.

The court is approached under Section 482 Cr.P.C. soliciting a direction to ensure expeditious disposal of a NDPS case No.66/2019 now pending before the learned Judge, Special Court, Nadia.

Learned Advocate for the petitioner in virtual mode submits that there has been much delay caused in the commencement of the trial, and till date charge against the petitioner, who is in custody, has not been framed.

Mr. Ganguly, learned Advocate representing the State draws attention of the court that the learned court below has already fixed date on 26th April, 2021 for consideration of the charge and as such there is no delay caused, as alleged to have occasioned.

Having considered the submission of both sides, the instant revisional application may be disposed of, so as to sub-serve the purpose of justice, as proposed to be obtained, giving a direction mentioned hereunder.

The learned court below is directed to consider the charge either on the date so scheduled, or if for any reason whatsoever, the charge could not be framed, the same may be framed within

six weeks thereafter peremptorily, providing sufficient opportunity of hearing to either of the parties to this case in an effort to ensure expeditious disposal of the pending case.

The court makes it clear that upon commencement of the trial, the learned court below would be free to decide if necessary to take assistance of the provisions of Section 309 Cr.P.C. so that the logical conclusion of the case may be reached within a reasonable period of time.

With this direction and observation, the 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.)