

27.04.2021
Item no.17
Ct. No.42
CHC

**C.R.R. No.1205 of 2021
(Through Video Conference)**

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

And

In the matter of:-

Sunny Yadav @ Mogli
.....petitioner

Mr. Debasis Kar,
Mr. Subhajit Chowdhury
...for the petitioner in virtual mode

Md. Anwar Hossain,
Ms. Sreyashee Biswas
...for the State

The Court is approached under Section 482 of the Cr.P.C. soliciting a direction to ensure expeditious disposal of a N.D.P.S. Case being No.N-159 of 2018 under Section 21(c) of the N.D.P.S. Act, now pending before the Learned Special Judge, N.D.P.S. Court, Barrackpore.

Mr. Debasis Kar, learned advocate being assisted by Mr. Subhajit Chowdhury, learned advocate representing the petitioner in virtual mode submits that there has been sufficient delay caused in the trial of this case causing serious prejudice to the petitioner, who is in custody for the alleged recovery of the contraband, above the commercial quantity.

Mr. Kar, strenuously contends that the dates already scheduled by the learned court below may go unutilized, and the Court should pass necessary direction so that the dates may be

effectively utilized and logical conclusion of this case may be reached fixing outer limit for the purpose.

The copy of this revisional application has not been served upon the State.

Mr. Anwar Hossain, learned Junior Government Advocate for the State is present in Court.

A copy of this revisional application is handed over to Mr. Hossain for proper address of the issue involved in this case.

Upon perusal of the revisional application, Mr. Hossain contends that we cannot be oblivious of the fact surfacing over the entire country after being infected with COVID-19. The onset and impact of COVID-19 has largely disturbed the ordinary function of the Court, and even in spite of on going pandemic, the learned trial court has already examined two witnesses, out of seven chargesheeted witnesses. According to Mr. Hossain, learned trial court is trying hard to make effective utilization of the dates of schedule so that logical conclusion of this case may be reached, and for which no direction is at all needed.

Admittedly, petitioner is in custody.

Having considered the submission of both sides, the Court is of the view that instant revisional application may be disposed of, so as to subserve the purpose of justice, as proposed to be obtained, giving direction mentioned as hereunder.

Learned court below is directed to ensure expeditious disposal of pending case referred above making effective utilization of the dates, so far scheduled, and if necessary, upon resorting to steps available under Section 309 Cr.p.C. so that logical conclusion of this case may be reached within a reasonable period of time.

Learned Public Prosecutor attached with the learned court below is requested to ensure his cooperation so that the witness may turn up on the next schedules.

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.)