

CRR 1654 of 2021
(Through Video Conference)

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

In the matter of: **Kamarul Sardar**

.... Petitioner

Ms. Sonali Das,

...For the Petitioner

Ms. Sukanya Bhattacharyya,

Mr. Mirza Firoj Ahmed Begg

...For the State.

This is an application for an expeditious hearing of N. Case No. 141 of 2019 under Sections 21(b) of Narcotic Drugs and Psychotropic Substances Act, 1985, pending before the learned Additional Sessions Judge, 6th Court, Barasat, North 24 Parganas.

It has been submitted by the learned advocate for the petitioner that out of five witnesses, three witnesses have been examined so far. The investigating officer of the case died during trial, and therefore, the trial is not being proceeded with.

Ms. Sukanya Bhattacharyya, learned advocate, appearing for the State submits that the relevant documents may be proved by any officer of the investigating agency in terms of Section 47 of the Evidence Act, 1872

I am of the opinion that the hearing of the case should not be deferred on the ground of the death of the investigating officer since the relevant documents may be proved by the person as acquainted

with the signature and handwriting of the deceased investigating officer.

In that view of the matter, this revisional application being **CRR 1654 of 2021**, is disposed of with a direction upon the learned Additional Sessions Judge, 6th Court, Barasat, North 24 Parganas to conclude the trial within a period of six months from the date of resumption of the normal functioning of the Court without granting any unnecessary adjournment.

CRR 1654 of 2021 is disposed of.

All parties shall act upon the server copy of this order duly downloaded from the official website of this Court.

(Kausik Chanda, J.)