

21.12.2021
Court No.34
Item No.28
AP

CRR 2521 of 2021
(Through Video Conference)

In Re.: An application under Section 482 of the Code of Criminal Procedure filed in connection with Basirhat P.S. Case No. 505/2019 dated 02.06.2019 under Sections 21(C) of the Narcotic Drugs and Psychotropic Substances Act 1985.

And

In the matter of : **Sariful Alam Sardar**

.... Petitioner.

Mr. Angshuman Chakraborty
Mr. S.S. Saha

... For the Petitioner.

Mr. Arijit Ganguly
Ms. Monisha Sharma

... For the State.

The petitioner is in custody since 2nd June 2019 i.e. more than two and half years have expired and till date the recording of the evidence has not commenced.

Learned advocate appearing for the petitioner complains regarding the progress of the trial.

Mr. Arijit Ganguly, learned advocate appears on behalf of the State.

Records reflect that charge was framed on 3rd March 2021. However, because of Covid-19 pandemic for a considerable period of time the Trial Court operated in a staggered manner and as such the Courts cannot be held responsible for the delay in trial.

It has been brought to the notice of the Court that about 14 witnesses are to be examined and most of the witnesses, if not all belong to the police department.

In view of the long detention of the petitioner in custody, I direct that the learned Trial Court would at least fix a schedule of three dates and at least once in every sixty days schedule should be fixed by the

learned Trial Court so that there can be progress in the trial of the case.

No unnecessary adjournment should be granted to either of the parties and a date/schedule should be fixed after the learned Public Prosecutor conducting the trial assures the Court regarding the availability of the witnesses.

With the aforesaid observation, CRR 2521 of 2021 is disposed of.

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

(Tirthankar Ghosh, J.)