

23.12. 2021
item No.16
n.b.
ct. no. 34

(Via video conference)
CRR 2528 of 2021

In Re: An application under Section 482 of Criminal Procedure Code, 1973 filed in connection with NDPS Case no.26/2019 arising out of Chinsurah Police Station Case No.295/2019 dated 12.9.2019 under Sections 20(b)(ii)(c) of the NDPS Act.

And

In the matter of : Toton Biswas
.... Petitioner.

Mr. Sudip Ghosh Chowdhury,
Mr. Argha Das

.....For the Petitioner

Mr. B. K. Roy,
Mr. Mirza Firoj Ahmed Begg
... for the State.

The petitioner is anxious regarding the progress of the trial before the learned Special Court. It has been submitted that the petitioner was arrested and produced before the Court on September 13, 2019. The charge-sheet was submitted on March 6, 2020 and supplementary charge-sheet was submitted on January 7, 2021. The learned advocate submits that the next date has been fixed on March 16, 2022 for consideration of charges and the prosecution has relied upon 13 witnesses to prove its case.

Mr. B. K. Roy, learned advocate who ordinarily appears for the State is directed to appear in this matter. His appointment may be regularized by the concerned authorities.

Record reflects that the petitioner is in custody for more than 26 months and the charge is yet to be framed.

Having regard to the same I direct the Learned Trial Court to overcome the stage of consideration of charge on the next date fixed on 16.3.2022 or within fortnight thereafter.

The learned Trial Court thereafter from the month of May 2022 will fix at least a schedule consisting of three dates, which would be fixed on each and every 45 days, so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournments should be granted to either of the parties and the schedule/dates should be fixed only after the learned Public Prosecutor conducting the trial ensures the court regarding the availability of the witnesses.

With the aforesaid observations CRR 2528 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.)