

19.01.2021
Item no.10
Ct. No.42
CHC

**C.R.R. No.1404 of 2020
(Physical Hearing)**

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

In the matter of:-

Mantu Sk.

.....petitioner

Mr. Robiul Islam

... for the petitioner

Mr. Saswata Gopal Mukherji, Ld.P.P.,

Ms. Faria Hossain,

Ms. Sonali Das

... for the State

This is an application under Section 482 Cr.P.C. soliciting a direction for expeditious disposal of a pending N.D.P.S. Case of learned Judge, Special Court under N.D.P.S. Act, Murshidabad vide N.D.P.S. Case No.168 of 2017.

Learned advocate for the petitioner proposing accommodation submits that since he has received instruction with regard to next date of learned court below, the same needs to be verified.

Ms. Sonali Das, appearing for the State furnishes the report stating that the learned court below has fixed the pending case on 5th February, 2021 for examination of accused person under Section 313 Cr.P.C.

The report be taken on record.

Undoubtedly the report, as to the status of the pending case in the court below, as produced by learned advocate representing the State, is of highest relevance, and which is not even

challenged by the learned advocate for the petitioner. The Court finds sufficient reasons to act upon the report.

When the principal grievance of the petitioner is to obtain a direction for expeditious disposal of a long pendency case, specifically for non examination of the accused person under Section 313 Cr.P.C., the grievance appears to have been redressed to some extent by fixing the date under Section 313 Cr.P.C.

Having considered the submission of both sides, the purpose of justice may be best surerved by disposing of the case giving following direction.

Learned court below is directed to make effective utilization of the date, so fixed, for examination of the accused person under Section 313 Cr.P.C, and if for any reason the same could not be made use of the same may be peremptorily made within three weeks thereafter aiming at ensuring expeditious disposal of the pending case.

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.)