

Sr. 30
05-01-2021
s. d.
ct, no.42

CRR 1872 of 2020

Rajesh Das alias Shibu

-versus-

The State of West Bengal

In the matter of : An application under S.482 read with S.483 of the Code of Criminal Procedure filed on 18th December, 2020 in connection with Case No. N-47/2019 arising out of Bagdah P. S. Case No. 81/19 dated 22.02.2019 under Sections 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 pending before the learned Additional District and Sessions Judge, 6th Court, Barasat, North 24 Parganas.

Mr. Angshuman Chakarborty
Mr. S. S. Saha

.....for the petitioner.

Mr. Md. Anwar Hossain
Ms. Sreyashee Biswas

....for the State.

The petitioner is in custody since February, 2019 and is aggrieved by the manner in which the proceeding is progressing before the learned court below.

Learned advocate for the petitioner submits that the charge-sheet was submitted in April, 2019 and the supplementary charge-sheet was submitted in January, 2020. According to the learned advocate for the petitioner majority of the witnesses belong to the

Government Department and the next date is fixed on 31st January, 2021.

In view of the petitioner being in custody for more than 22 months, I direct that the learned trial court would overcome the stage of consideration of charge on the next date i.e., 31.01.2021 or within a week thereafter and then progress with the trial of the case by fixing a regular schedule in such a manner that the whole proceedings can be concluded within a reasonable period of time.

No unnecessary adjournment should be granted to either of the parties and if any adjournment is sought for non-appearance of any witness, the learned court will be at liberty to exhaust the harsher process of law. The Office of the learned court would be at liberty to communicate with the learned Public Prosecutor conducting the case so that the availability of the witness can be assured beforehand and then only the dates can be fixed.

The learned trial court would take all efforts for at least concluding the examination of the witnesses for the prosecution by December, 2021.

With the aforesaid observations, CRR 1872 of 2020 is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Tirthankar Ghosh, J.)