

Sr. 38
04-01-2021
s. d.
ct, no.42

CRR 1877 of 2020

In Re : **Kalu Bag @ Adhir** ... **petitioner.**

In the matter of : An application under Sections 482 of the Code of Criminal Procedure in connection with NDPS Case No. 07/2019 arising out of Chinsurah P. S. Case No. 73/2019 dated 01/04/2019 under Section 20(b)(ii)(c) of the NDPS Act.

Mr. Sudip Ghosh Chowdhury
Mr. Argha Das
Mr. Abhishek Bose

.....for the petitioner.

Mr. S. G. Mukherjee, Ld. P.P
Mr. Arijit Ganguly

....for the State.

The learned advocate for the petitioner is aggrieved by the fact that although the petitioner is in custody for about 20 months yet there has been no progress in the case.

Learned advocate for the petitioner further submits that the next date is fixed on 12.01.2021 for consideration of charge.

The record reveals that the petitioner was arrested on 01.04.2019, chargesheet was submitted on

21.09.2019 and supplementary chargesheet was submitted on 28.08.2020,

Mr. Ganguly, learned advocate for the State submits that the prosecution has relied upon 11 witnesses and will take all endeavours to conclude the trial within a reasonable period of time.

Having regard to the fact that the petitioner is in custody for more than 20 months and the learned court could not proceed due to reasons beyond its control, I am of the opinion that the learned trial court should take all endeavour to complete the process of consideration of charge on 12.01.2021 or within a week thereafter. The learned court below, if it deems fit and proper after the consideration of charge, fix dates at regular intervals so that the trial of the case can be taken to its logical conclusion.

With the aforesaid observations, CRR 1877 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.)