

21.01.2021
Item no.8
Ct. No.42
CHC

**C.R.R. No.1941 of 2020
(Physical Hearing)**

In Re: An application under Section 483 of the Code of Criminal Procedure, 1973.

In the matter of:-

Prohallad Das

.....petitioner

Ms. Payel Mitra

... for the petitioner

Mr. Rana Mukherjee, Ld. A.P.P.

Mrs. Sujata Das

... for the State

The Court is called upon to address prayer soliciting a direction for expeditious disposal of a pending N.D.P.S. case of learned 3rd Additional District Judge, Howrah, (Special Court under N.D.P.S. Act) vide T.R. Case No.12 of 2017.

Learned advocate, Ms. Payel Mitra, representing the petitioner submits that the petitioner is in custody for the last three years and trial is getting delayed for absence of a regular Officer posted in the court concerned so as to proceed further with the trial causing a great prejudice to the petitioner, which has led to the protraction of the trial.

Mr. Rana Mukherjee, learned advocate representing the State submits that out of 12 (twelve) witnesses, after the commencement of the trial, there has been collection of one witness and thereafter, with the intervention of pandemic, the ordinary function of the Court has been disturbed largely. Moreso, there is no Officer posted in the court concerned at the moment. A report is called for in order to know the status of the pending cases in the learned court below. The report is produced by Learned Registrar (Judicial Service), High Court, Calcutta, dated 19.01.2021. The same be kept on record.

It appears from the report that there is no present Officer posted in the court concerned, which is expected to be posted shortly.

Having considered the submission of both the parties and bearing in mind the direct impact of the COVID-19 disturbing the ordinary function of the court, the instant revisional application may be disposed of so as to subserve the purpose of justice, as proposed to be obtained from this Court, by giving the following direction.

The pending case is directed to be disposed of expeditiously making effective utilization of the dates taking sincerest support of the learned prosecutor, upon joining of the new incumbent in the court concerned.

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.)