

08.02.2022
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SB
Ct. No.39

CRR 325 of 2022

In the matter of : Kakuli Mondal alias Kakali Mondal

Mr. Angshuman Chakraborty
Mr. Shashanka Shekhar Saha ... for the Petitioner

Mr. Arijit Ganguly
Mr. Mirza Firoj Ahmed Begg for the State

This is an application seeking an expeditious disposal of a proceeding in which a charge sheet was submitted under section 21 (c) of the N.D.P.S. Act.

Let a copy of this revisional application be served upon Mr. Arijit Ganguly with Mr. Mirza Firoj Ahmed Begg, learned counsels who ordinarily appear on behalf of the State. They are requested to appear in this matter. Their engagement may be regularised by the competent authority of the State in due course.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is an accused in this case. She is a lady who had given birth to a child while inside the correctional home. As the child started suffering from Covid-19 she had to be taken away by her husband. The petitioner is in custody since 13.10.2020, the date on which the F.I.R. was lodged. A charge-Sheet was submitted in 2020. A supplementary Charge sheet was submitted on 2021. The prosecution seeks to examine nine witnesses in this case. On 03.03.2021 charges were framed. Although a number of dates were fixed for evidence, till date not a

single witness could be examined. The impugned proceeding has remained pending for no fault on the part of the petitioner.

Learned counsel appearing on behalf of the State submits that State would not come in the way if a direction is passed for an expeditious disposal of the proceeding.

I have heard the submissions of the learned counsels for the appearing for the petitioner and the State and have perused the revision petition.

It appears that an inordinate delay has been occasioned in concluding the trial, especially considering the fact that the petitioner is in custody since 13.10.2020. It is also claimed that the petitioner has a baby who had to be taken away from her care as the baby was suffering from Covid-19.

In view of the above and in the interest of justice, the learned Trial Court is requested to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to any of the parties and by taking necessary steps to ensure the attendance of the witnesses, preferably within a period of eight months from the next date of hearing.

With these observations, the revisional application is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon completion of requisite formalities.

(Jay Sengupta, J.)