

D/L 48  
February 2,  
2022  
Bpg.

C.R.R. No.695 of 2020  
(Via Video Conference)

In Re: An application under Section 397/ 401 read with Section 482 of  
the Code of Criminal Procedure;

Toyeb Molla  
Versus  
The State of West Bengal & Anr.

Mr. Nimai Ray,  
Mr. Hillol Saha Poddar,  
Mr. Ronit Mukherjee.  
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld. P.P.,  
Mr. Imran Ali,  
Ms. Debjani Sahu.  
...for the State.

Report submitted by the Officer-in-Charge of Minakhan  
Police Station be kept with the record.

Mr. Hillol Saha Poddar, learned advocate appearing for  
the petitioner submits that the petitioner is in custody since  
August, 2018 and till date there has been no progress in the case.

The report so submitted reflects that in 2019,  
supplementary charge-sheet was filed enclosing the report of the  
State Drug Control & Research Laboratory which reflects that the  
sample which was allegedly seized contains Codeine Phosphate.

In view of the anxiety expressed by Mr. Saha Poddar,  
learned advocate appearing for the petitioner, I am of the opinion  
that no unnecessary adjournment should be granted to either of the  
parties and the learned trial court should take efforts for completing

the available witnesses at its earliest.

It has been informed to this Court that the next date has been fixed on 23<sup>rd</sup> February, 2022 and only two witnesses have been examined out of eight witnesses.

In view of the aforesaid, the learned court would try to fix schedule of this case each and every month and such date should be fixed after the learned public prosecutor conducting the case assures the court regarding the availability of the witnesses.

No unnecessary adjournment should be granted to either of the parties and there should be an endeavour to complete the trial at its earliest.

With the aforesaid observations, CRR 695 of 2020 is disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

**(Tirthankar Ghosh, J.)**