

**20.04.2022**

Item No.34  
Ct.No.34  
dc.

**IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION**

**C.R.R. 1259 of 2022**

**Prabir Roy @ Ghochu  
versus  
The State of West Bengal**

**In Re:** An Application under Section 482 of the Code of Criminal Procedure, 1973 filed in connection with NDPS Case No. 27/2020 arising out of Chinsurah Police Station Case No. 172 of 2020 dated 11.06.2020 under Sections 20(b)(ii)(c) of the NDPS Act.

Mr. Sudip Ghosh Chowdhury,  
Mr. Argha Das,  
Mr. Abhishek Bose ... For the Petitioner.

Mr. Imran Ali,  
Ms. Manisha Sharma ... For the State.

Learned advocate appearing for the petitioner expresses his anxiety over the fact that the petitioner is in custody since June, 2020 and till date not a single witness has been examined. Learned advocate draws the attention of the Court to the order dated 18.01.2022 passed by learned Additional Sessions Judge-cum-Judge, Special Court, Hooghly which reflects that dates for examination of C.S.W.-01, C.S.W.-02 and C.S.W.-03 has been fixed between 17.05.2022 to 19.05.2022.

Ms. Manisha Sharma, learned advocate, who ordinarily appears for the State, is directed to appear in this matter and represent the State. Her appointment may be regularized by the concerned authorities.

In view of the fact that the petitioner is in custody for about 1 year 10 months, the learned trial court should keep in mind for smooth progress of the trial of the case, the

schedule consisting of three dates should be fixed once in every two months so that the trial of the case is taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment should be granted to any of the parties and the learned public prosecutor conducting the case should assure the court regarding the availability of the witnesses prior to schedule/date being fixed. The learned trial court would be at liberty to resort harsher process of law, in case without any reason, a witness is absent before the court.

With the aforesaid observations, the revisional application being CRR 1259 of 2022 is disposed of.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

**(Tirthankar Ghosh, J.)**