

In the matter of:- Md. Mithun & Anr.

...petitioners

Md. G. N. Imrohi,
Mr. Debapriya Majumder.

...for the petitioners.

Mr. Tanmay Kumar Ghosh,
Md. Kutubuddin.

....for the State.

This is an application seeking expeditious disposal of a proceeding in which a charge sheet was submitted under Sections 21(c) and 29 of the NDPS Act.

Let a copy of this application be served upon Mr. Tanmay Kumar Ghosh and Md. Kutubuddin, learned Counsels who ordinarily appear on behalf of the State. Let them represent the State. Their engagement may be regularised by the competent authority of the State in due course.

Learned Counsel appearing on behalf of the petitioners submits as follows. The petitioners are the accused in this case. They were in custody since 11.02.2021, the date on which the FIR was registered. A charge sheet was submitted in August, 2021. In all, thirteen witnesses are proposed to be examined in this case. A date was fixed for framing of charge. On 13.09.2021, however, the same could not be taken up for consideration. Thereafter, three more dates were fixed for framing of charge. Yet, till date even charges could not be framed. The matter has remained pending for no fault on the part of the present petitioners.

Learned Counsel appearing on behalf of the State submits that the State would not come in the way if a direction is passed to expedite the proceeding.

I have heard the submissions of the learned counsels appearing

on behalf of the petitioners and the State and have perused the revision petition.

It appears that some delay has been occasioned in concluding the trial, especially considering the fact that the petitioners are languishing in custody since 11.02.2021.

In view of the above and in the interest of justice, the learned Court is requested to conclude the trial as expeditiously as possible without granting any unnecessary adjournment to any of the parties and in particular, to decide the question of framing of charge at the earliest, preferably within a period of three months from the next date of hearing.

With the above observations, the revisional application is disposed of.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)