

25-11-2022
Subha
Item 132
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1411 of 2022

Simul Sarder
-vs-
State of West Bengal

In Re : An application under S.482 read with S.483 of the Code of Criminal Procedure.

Mr. Sunny Nandy
Ms. Riya Das

...for the petitioner.

Mr. Swapan Banerjee, ld. APP,
Ms. Purnima Ghosh

...for the State.

The petitioner approached this court for expeditious disposal of Case No. N-118 of 2021 which was initiated at the instance of Barasat Police Station being Barasat P. S. Case No. 678 dated September 16, 2021 under Section 20(b)(ii)(C) of the N. D.P.S Act.

The petitioner is in custody for about 14 months. It has been submitted that charge was framed on 16th July, 2022 and although dates were fixed by the learned court but no witness turned up for evidence. There are 10 witnesses and according to the learned advocate appearing for the petitioner, all the witnesses belong to the Government Department.

In view of such submission, petitioner is directed to hand over a copy of the revisional application to Mr. Swapan Banerjee, learned Additional Public Prosecutor appearing for the State along with his Junior, Ms. Purnima Ghosh, learned advocate who usually appears on

behalf of the State. Their appearances may be regularized by the concerned Authorities in due course.

In view of the fact that the petitioner is in custody for more than 14 months and till date no evidence has been recorded and the next date has been fixed by the learned trial court on 9th January, 2023, I direct that the learned trial court should fix a schedule consisting of three dates and the learned trial court would fix such schedule at a regular interval of every 60 days. Prior to a schedule being fixed, the learned Public Prosecutor conducting the trial would assure the court regarding the availability of the witnesses. The prosecutor along with the officer responsible should arrange seized alamats to be produced before the court on the date so fixed and no unnecessary adjournments should be granted for non-production of any materials and documents on the date so fixed,

No adjournments will be granted to either of the parties. All efforts must be taken to complete the trial within a reasonable period of time.

With the aforesaid observations, the present revisional application being CRR 1411 of 2022 is disposed of.

Pending applications, if any, are consequently disposed of.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]

