

In the matter of:- Saddam Sardar

...petitioner

Mr. Mrityunjoy Chatterjee,
Mr. G. N. Imrohi.

...for the petitioner.

Mr. Imran Ali,
Ms. Baisali Basu.

....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 NDPS Act.

Let a copy of this application be served upon Mr. Imran Ali and Ms. Baisali Basu, 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 petitioner submits as follows. The FIR was lodged against the present petitioner in 2019. In February, 2020, a charge sheet was submitted. The prosecution intended to examine eight witnesses in this case being police personnel. Thereafter, till date, the proceeding could not be concluded. By an order dated 09.03.2022 passed in CRR 698 of 2022, this Court directed the expeditious disposal of the proceeding, preferably one year within the next date of hearing. This order was brought to the notice of the learned Trial Court on 20.04.2022. Even after recording a gist of the order, the next date was fixed for hearing in the month of August, 2022. This is a clear violation of the mandate of the order passed by this Court. An appropriate direction may be passed upon the learned Trial Court to conclude the hearing expeditiously.

Learned Counsel appearing on behalf of the State submits that

the learned Trial Court ought to have been taken proper steps to comply with the order passed by this Court.

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

It is true that there is tremendous work load of cases on Trial Courts, especially the ones designated as Special Courts for trying NDPS cases. Yet, for an FIR that was lodged in 2019, more progress ought to have been made in the present trial.

It is even more unfortunate that an order passed by this Court directing expeditious conclusion of the proceeding could not inspire the learned Trial Court to take effective measures for concluding the trial including fixing shorter dates.

In view of the above and in the interest of justice, the learned Court is directed to conclude the proceeding expeditiously by complying with the following directions.-

- (a) The learned Trial Court shall prepone the next date of hearing to any date in the first week of July, 2022.
- (b) It shall fix dates for hearing in terms of Section 309 of the Code of Criminal Procedure.
- (c) It shall take proper steps to ensure that at least two witnesses are examined in a month.
- (d) The learned Trial Court shall conclude the trial as expeditiously as possible, positively within a period of nine months from the next date fixed for hearing in July, 2022.

With these 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.)