

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 1984 of 2022

Rafikul Molla & Anr.

-Vs-

The State of West Bengal & Ors.

For the petitioner: Mr. Angshuman Chakroborty , Adv.,
 Mr. Shashanka Shekhar Saha, Adv.

For the State:- Ms. Faria Hossain, Adv.,
 Ms. Mamata Jana, Adv.

Heard on: 23rd June, 2022.

Judgment on: 23rd June , 2022.

BIBEK CHAUDHURI, J. : –

1. Petitioner is the accused in NDPS Case No.119 of 2020 arising out of Baduria Police Station Case No.241 of 2020 dated 16th May, 2020 under Section 21(C)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 presently pending before the learned Additional District and Sessions Judge 6th Court, Barasat, North 24 Parganas.
2. The petitioner has filed the instant revision praying for expeditious disposal of the NDPS instituted against him.
3. On perusal of the application under Section 482 of the Cr.P.C and considering the prayer made by the petitioner, this Court is of the view

that the revisional application can be disposed of here and now in presence of the learned Advocate for the state.

4. Ms. F. Hossain, learned P.P-in-Charge is requested to represent the State of West Bengal in the instant case. Copy of the revisional application is served upon the learned P.P-in-Charge.

5. The legal remembrancer, Government of West Bengal is requested to regularize the appointment of Ms. F. Hossain.

6. It is submitted by the learned Advocate for the petitioner that the petitioner was arrested on 16th May, 2020 since then he is in custody for more than two years. In case No.N119 of 2020 charge was framed against the petitioner on 15th November, 2021. Thereafter, the trial court fixed 5, 6 and 7 January, 2022 for examination of the witnesses. No witness was however produced by the prosecution. Subsequently, on 6th May, 2022 prosecution failed to produce any witness. Next date of evidence is fixed on 2nd August, 2022.

7. It is further submitted by the learned Advocate for the petitioner that the prosecution is not at all serious for speedy disposal of the case. Therefore, necessary direction may be issued upon the court below for expeditious disposal.

8. It is needless to say that in respect of "Case Flow Management", the High Court has issued a notification bearing No.4860 dated 6th December, 2006 in the said notification NDPS case is listed as Track 1 case and trial court is directed to dispose of NDPS case within nine months from the date of submission of charge-sheet. The learned trial judge failed to take

recourse of speedy disposal of the case and thereby violated the High Court notification No.4860 dated 6th December, 2006.

9. In view of such circumstances, the trial court is directed to positively conclude examination of witnesses by December, 2022 and dispose of the case by January, 2023.

10. The instant criminal revision is thus disposed of with the above direction.

11. The learned Advocate for the petitioner is at liberty to communicate this order to the trial court and the trial court is directed to act upon the server copy of the order.

(Bibek Chaudhuri, J.)