

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

C.R.R. 2058 of 2022

Arup Dutta

Vs.

State of West Bengal

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

**For the State : Mr. Anwar Hossain, Adv.
Mrs. Sujata Das, Adv.**

Heard on : 14.07.2022

Judgment On : 14.07.2022.

Bibek Chaudhuri, J.

This is an application for a direction for expeditious disposal of Special NDPS Case No.N17/2019 pending before the learned Additional Sessions Judge-cum-Judge, NDPS Act, 1st Court, Raiganj, Uttar Dinajpur. On perusal of the averment made in the instant application and having heard the learned Advocate for the petitioner, this Court is of the view that the instant revision can be disposed of here and now in the assistance of the learned Advocate for the State.

Mrs. Sujata Das, learned Advocate is requested to assist this Court on behalf of the State of West Bengal. Appointment of Mrs.

Sujata Das be regularized by the learned Legal Remembrancer, Government of West Bengal.

It is submitted on behalf of the petitioner that the petitioner was arrested on 3rd September, 2019, since the date of arrest, he is in custody. On 31st October, 2019 and 15th November, 2019 respectively, charge-sheet and supplementary charge-sheet were filed. The Trial Court framed charge on 30th November, 2019. Till date out of 18 charge-sheeted witnesses, 5 witnesses have been examined and the next date is fixed on 17th August, 2022 to 20th August, 2022 for examination of the remaining witnesses on behalf of the prosecution.

The learned Advocate for the petitioner submits that at least a direction may be issued by this Court to conclude the examination of the witnesses by the date fixed.

It is needless to say that due to Covid pandemic, normal functioning of the judicial work was restricted for a period of 2 years. Immediately after restoration of normality, the Trial Judge fixed a schedule from 17th August, 2022 to 20th August, 2022 for examination of the witnesses on behalf of the prosecution.

Therefore, I am not in a position to hold that the learned Judge in Trial Court is negligent in proceeding with the case expeditiously.

However, considering the fact that the accused is in custody for about 3 years, the learned Trial Judge is requested to take expeditious step so that the recording of evidence on behalf of the prosecution may end by the month of November, 2022.

With the above direction, the instant revision is **disposed of**.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.238.
M/L.**