

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2125 of 2022

Prasenjit Das

-Vs-

The State of West Bengal

For the petitioner: Mr. Sumanta Das, Adv.,

For the State:- Ms. Saryati Dutta, Adv.

Heard on: 13th July, 2022.

Judgment on: 13th July, 2022.

BIBEK CHAUDHURI, J. : –

1. The petitioner is the accused of N.D.P.S. Case no. 32 of 2019 arising out of Haringhata Police Station Case No.100 of 2019 dated 12th March 2019 under Sections 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act 1985 (hereinafter described as the said Act) pending before the Additional Sessions Judge, 1st Court at Krishnagar, Nadia.
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. Saryati Dutta, 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. Saryati Dutta. .

6. It is submitted by the learned Advocate for the petitioner that the petitioner was arrested in connection with the aforementioned case on 12th March, 2019. After filing of the charge-sheet the trial court framed charge against the petitioner under Section 20(b)(ii)(c) of the NDPS Act on 7th February, 2020. Subsequently, dates were fixed for examination of the witnesses on 25.06.2020, 26.06.2020, 29.06.2020, 30.06.2020, 01.07.2020 and 02.07.2020. Out of 13 witnesses only 5 witnesses were examined on 14.12.2020, 14.02.2022, 15.02.2022, 07.04.2022 and 11.04.2022. Next date for evidence was fixed on 01.07.2022, 02.07.2022 and 04.07.2022.

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 I case and a

general direction has been issued to dispose of cases falling from the date of commencement of trial. 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.)