

Form J(1)

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

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

CRR 2173 of 2022

**Prasenjit @ Prosenjit Ghosh @ Bapi
Vs.
The State of West Bengal**

For the petitioner: Mr. Shibaji Kumar Das

For the State: Mr. Santanu Deb Roy

Item No.149 ML

Heard & Judgment on: 12.07.2022

Bibek Chaudhuri, J.

This is an application for expeditious disposal of Case No.N-87 of 2020 arising out of Madhyamgram Police Station 133 of 2020 dated 7th April, 2020 under Section 21 (C)//29 of the Narcotic Drugs and Psychotropic Substances Act, 1985. The case

is pending before the learned Special Judge-cum-Additional Sessions Judge, 6th Court at Barasat.

This Court is of the view that the instant revision can be disposed of here and now with the assistance of the learned P.P.-in-charge. Therefore, Mr. Santanu Deb Roy is requested to assist this Court on behalf of the State of West Bengal. Appointment of Mr. Santanu Deb Roy be regularized by the learned Legal Remembrancer, Government of West Bengal.

It is submitted by the learned advocate for the petitioner that the petitioner was arrested on 7th April, 2020 and till date he is in custody. On 9th February, 2022 charge was framed by the trial Court against the petitioner. On 30th May, 2022 only one witness was examined as P.W.1. Thereafter, the trial Court fixed 30th and 31st August, 2022 for recording further evidence in case No.N-87 of 2020.

It is submitted by the learned advocate for the petitioner that the learned trial Judge has not followed the provision of Section 309 of the Code of Criminal Procedure and did not prepare a schedule for examination of all the witnesses as per charge sheet.

This Court also finds that the learned trial Judge has been fixing dates for examination of the witnesses on behalf of the prosecution in a piecemeal manner which is not permissible while trying a special case by the learned Sessions Judge in the capacity of special Judge.

For the reasons stated above, the instant revision is disposed of requesting the trial Judge to fix a schedule after 31st August, 2022 immediately after Puja vacation and try to dispose of the case within three months after the vacation.

The petitioner is at liberty to communicate the server copy of the order for information and compliance by the Court below.

The instant revision is, thus, disposed of.

(Bibek Chaudhuri, J.)