

IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION  
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

**CRR 2197 of 2022**

**Nayan Biswas**

**-Vs-**

**The State of West Bengal**

For the petitioner:            Mr. Arunava Ganguly, Adv.,  
                                         Mr. Piyas Choudhury, Adv.

For the State:-                Mr. Sandip Chakraborty, Adv.

Heard on: 11<sup>th</sup> July, 2022.

Judgment on: 11<sup>th</sup> July, 2022.

**BIBEK CHAUDHURI, J. : –**

1.     The petitioner is the accused of N.D.P.S. case No. 57 of 2019 arising out of Chinsurah Police Station Case No.465 of 2019 dated 23.12.2019 under Section 20(b)(ii)(c) of Narcotic Drugs and Psychotropic Substances Act 1985 (hereinafter described as the said Act) pending before the Additional Sessions Judge cum Judge Special Court, Hooghly.
2.     The petitioner has filed the instant revision praying for expeditious disposal of the NDPS case 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. Mr. Sandip Chakraborty, 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 Mr. Sandip Chakraborty, Adv.

6. It is submitted by the learned Advocate for the petitioner that the petitioner was arrested in connection with the aforementioned case on 23<sup>rd</sup> December, 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 15<sup>th</sup> September, 2021. Subsequently, dates were fixed on 26.04.2022, 27.04.2022 and 28.04.2022 for examination but were adjourned on the dates. Thereafter dates were fixed on 18.08.2022, 20.08.2022 and 22.08.2022 for examination.

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 6<sup>th</sup> 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 6<sup>th</sup> 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.)**