

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2203 of 2022

Sanjay Tiwari

-Vs-

The State of West Bengal

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

For the State:- Mr. Mainak Gupta, Adv.,

Heard on: 11th July, 2022.

Judgment on: 11th July, 2022.

BIBEK CHAUDHURI, J. : –

1. The petitioner is the accused of N.D.P.S. case No. 04 of 2020 arising out of Uttarpara Police Station Case No.19 of 2020 dated 16.01.2020 under Section 21(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. Mainak Gupta, 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. Mainak Gupta. Adv.

6. It is submitted by the learned Advocate for the petitioner that the petitioner was arrested in connection with the aforementioned case on 16th January, 2020. After filing of the charge-sheet the trial court framed charge against the petitioner under Section 21(c) of the NDPS Act on 26th February, 2021. Subsequently, dates were fixed for examination of the witnesses on 08.07.2021, 09.07.2021 and 12.07.2021 but on the dates prosecution failed to produce any witness. Therefore prosecution failed to produce witness on several dates and fixed 12.09.02022, 13.09.2022 and 14.09.2022 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 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.)