

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2214 of 2022

Omar Ali Mondal & Anr

-Vs-

The State of West Bengal

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

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

Heard on: 11th July, 2022.

Judgment on: 11th July, 2022.

BIBEK CHAUDHURI, J. : –

1. The petitioners are the accused in N-75 of 2021 arising out of Gaighata Police Station Case No. 468 of 2021 dated 31.05.2021 under Section 21(c)/29 of Narcotic Drugs and Psychotropic Substances Act 1985 and Sections 188/379/411 of the Indian Penal Code pending before the Learned Additional Sessions Judge, 6th Court, Barasat.

2. The petitioners have filed the instant revision praying for expeditious disposal of the NDPS case instituted against them.

3. On perusal of the application under Section 482 of the Cr.P.C and considering the prayer made by the petitioners, 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. 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 Mr. Saryati Dutta.

6. It is submitted by the learned Advocate for the petitioners that the petitioners were arrested in connection with the aforementioned case on 31st May, 2021 and since then they are in custody. After filing of the charge-sheet the trial court framed charge against the petitioners under Section 21(C)/29 of the NDPS Act on 1st June, 2022. Subsequently, date was fixed for examination of the witnesses on 05.09.2022 and 06.09.2022.

7. It is further submitted by the learned Advocate for the petitioners 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 January, 2023 and dispose of the case by February, 2023.

10. The instant criminal revision is thus disposed of with the above direction.

11. The learned Advocate for the petitioners 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.)