

Form J(1)

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

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

C.R.R. 2317 of 2022

**Raja Mondal
Vs.
The State of West Bengal**

**For the petitioner : Mr. Priyankar Ganguly, Adv.
Ms. Salini Bairagi, Adv.**

Heard on : 05.08.2022

Judgment On : 05.08.2022.

Bibek Chaudhuri, J.

This is an application for expeditious disposal of the N.D.P.S. Case No.235 of 2020 arising out of Gopalnagar Police Station Case No.613 of 2020 dated 14th November, 2020 under Sections 21(C) /29 of the Narcotic Drugs and Psychotropic Substances Act. The said case is pending for disposal before the learned Additional Sessions Judge, 6th Court, Barasat, 24 Parganas (North).

It is submitted by the learned Advocate for the petitioner that the petitioner was arrested on 14th November, 2020. Police submitted charge-sheet and supplementary charge-sheet respectively on 28th

February, 2021 and 4th June, 2021. The Trial Court framed charge against the accused on 18th December, 2021. Subsequently date was fixed for recording evidence on behalf of the prosecution on 25th April, 2022.

It is submitted by the learned Advocate for the petitioner that on 25th April, 2022, the Trial Court could not examine any witness on the ground that Special Public Prosecutor was not appointed to conduct the said case. Subsequently the hearing of the case was adjourned. It is also submitted by him that there are only 7 witnesses listed in the charge-sheet and the Trial Court may be directed to record the evidence of the said witnesses expeditiously.

From the submission made by the learned Advocate for the petitioner, it is found that the Trial Court could not examine any witnesses on 25th April, 2022 as Special Public Prosecutor was not appointed to conduct trial of the case.

Therefore, there is no laches on the part of the learned Trial Judge in dealing with the aforesaid case. The Trial Judge is undone if Public Prosecutor is not appointed by the concerned authority.

I do not find any reason to pass any direction for expeditious hearing of N.D.P.S. Case No.235 of 2020 at this stage.

The instant application is, accordingly, **dismissed** summarily.

(Bibek Chaudhuri, J.)

***Mithun De/
A.R. (Ct).
SI No.18.
M/L.***