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C.R.R. 2330 of 2022

In the matter of : Sujay Sarkar

.... Petitioner

Mr. Soumojit Das Mahapatra

Ms. Riya Das

Mr. Noor Nobi Seikh

... for the petitioner

Ms. Baisali Basu

... for the State

The petitioner is an accused in N.D.P.S. Case No. 71 of 2021 pending before the learned Judge, Special Court under N.D.P.S. Act at North 24-Parganas, Barasat.

The petitioner has filed the instant revision praying for expeditious disposal of the abovementioned special case.

On perusal of the averments made by the petitioner in his revisional application and considering the submissions made by the learned Advocate for the petitioner, this Court is of the view that the instant revision can be disposed of here and now with the assistance of the learned Advocate for the State.

Ms. Baisali Basu, learned Advocate, who appears on behalf of the State, is requested to represent the opposite party in the instant matter.

The appointment of the abovenamed learned Advocate be regularised by the learned Legal Remembrancer, Government of West Bengal.

It is ascertained from the submissions made by the learned Advocate for the petitioner that the case was registered against the petitioner on 23rd May, 2021. Charge-

sheet was filed on 29th September, 2021 and the trial Court framed charge against the petitioner on 25th April, 2022. At this stage, the case is at the stage of trial.

It is submitted by the learned Advocate for the petitioner that as per the charge-sheet, there are 13 witnesses to be examined on behalf of the prosecution, who are the members of the Border Security Force. If they are transferred during the pendency of the case, it will be very difficult for the prosecution to ensure production of the said witnesses during trial. So the said witnesses may at least be examined at an early date.

I find merit in the submissions made by the learned Advocate for the petitioner.

The learned Trial Judge is requested to fix a schedule of examination of the witnesses who are the members of the Border Security Force within one month from the date of this order.

The learned Trial Judge may take help of the Director, Border Security Force to ensure production of the said witnesses. After exhaustion of the entire schedule and examination of the witnesses, who are members of the Border Security Force, the learned Trial Judge shall examine the other witnesses as per the charge-sheet.

With the above direction, the instant revisional application is disposed of.

(Bibek Chaudhuri, J.)