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**C.R.R. 2369 of 2022**

**In the matter of : Sahibur Gazi**

**.... Petitioner**

Mr. Soujanya Bandyopadhyay

... for the petitioner

Ms. Baisali Basu

... for the State

This is an application for expeditious disposal of the case No. N-168 of 2019 under Section 21(C) of the N.D.P.S. Act presently pending before the learned Judge, Special Court (N.D.P.S.) and Additional Sessions Judge, 6<sup>th</sup> Court at Barasat.

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 submitted by the learned Advocate for the petitioner that the trial Court framed charge for the offence punishable under Section 21(C) of the N.D.P.S. Act against the accused

on 20<sup>th</sup> September, 2020. Thereafter, first date of examination of the witnesses was fixed on 25<sup>th</sup> January, 2022. No witness was present on the above date fixed and even on the subsequent dates till 21<sup>st</sup> July, 2022.

It is also submitted by the learned Advocate for the petitioner that there are 10 charge-sheeted witnesses, who are members of the Border Security Force. If they are transferred during the pendency of the trial, it would be hard for the trial court to conclude the trial. Moreover, during the span of about two years not a specific witness was examined by the trial court.

Under such circumstances, the instant revisional application is disposed of directing the learned Trial Judge to fix a schedule within one month from the date of communication of this order, if not already fixed and issue summons upon the members of the Border Security Force for their examination at first. After their examination, the other witnesses may be examined.

The learned Trial Judge is directed to take help of the Director, Border Security Force to ensure production of the said witnesses.

The learned Special Public Prosecutor is directed through the learned Trial Judge to ensure that summons be served upon the witnesses and they must appear on the next date of trial.

(Bibek Chaudhuri, J.)