

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2415 of 2022

Jasimuddin Mondal

-Vs-

The State of West Bengal

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

For the State:- Mr. Ranadeb Sengupta, Adv.,

Heard on: 14th November, 2022

Judgment on: 14th November, 2022

BIBEK CHAUDHURI, J. : –

1. The petitioner is the accused of N.D.P.S. case No. N 125/2021 arising out of Baduria Police Station Case No.583 of 2021 dated 27.09.2021 under Section 21(C)/29 of Narcotic Drugs and Psychotropic Substances Act 1985 (hereinafter described as the said Act) pending before the Learned Additional Sessions Judge , 6th Court at Barasat.
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. Ranadeb Sengupta, 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. Ranadeb Sengupta, Adv.,

6. It is submitted by the learned Advocate for the petitioner that the petitioner was arrested in connection with the aforementioned case on 27th September, 2021 since then he is in custody. After filing of the charge-sheet the trial court framed charge against the petitioner under Section 21(C)/29 of the NDPS Act on 10th March, 2022 and next date was fixed on 10.06.2022 for evidence. Subsequently, prosecution failed to produce any witness due to full court on 10.06.2022 and next date for production and evidence was fixed on 14.09.2022 and 15.09.2022. By an order dated 30.03.2022, this Court has directed the trial court to expeditiously dispose off the case within one year but out of 9 witnesses not a single witness has been examined yet.

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 March, 2023 and dispose of the case by April, 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.)