

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2503 of 2022

Chaitanya Sarkar

-Vs-

The State of West Bengal

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

For the State:- Mr. Arijit Ganguly, Adv.,
 Mr. S.K. Dan, Adv

Heard on: 14th December, 2022.

Judgment on: 14th December, 2022.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of N case no. 193 of 2019 filed by the petitioner/accused person in custody arising out of Bagdah Police Station Case no. 601 of 2019 dated 2nd November, 2019 under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned Additional Sessions Judge, 6th Court at Barasat.

2. On perusal of the instant application and the materials on record, this court is of the view that the instant application can be disposed of with the assistance of the learned public prosecutor-in-charge on behalf

of the State. Therefore Mr. Arijit Ganguly and Mr. S.K. Dan learned advocates are requested to assist this court on behalf of the state. Appointment of Mr. Arijit Ganguly and Mr. S.K. Dan be regularized by the learned Legal Remembrancer, Government of West Bengal.

3. It is submitted by the learned advocate for the petitioner that the petitioner was arrested on 2nd November, 2019 on the allegation of committing offence under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984. Since then, he is in custody. After completion of investigation Chargesheet was submitted on 17th January, 2020 under Section 21(C) of the NDPS Act proposing 10 witnesses to be examined, all of whom are police personnel. Thereafter supplementary chargesheet was submitted on 19th December, 2020 adding another witness to be examined. Thereafter charge was framed on 22nd September, 2021 and next date was fixed on 4th February, 2022 for production and evidence. Out of 11 witnesses only PW1 and PW2 was examined after several adjournments. Next date for production and evidence has been fixed on 05.09.2022 and 06.09.2022.

4. It is further submitted by the learned Advocates 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.

5. It is needless to say that in respect of “Case Flow Management”, the High Court has issued a notification bearing No.4680 G 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.4680 G dated 6th December, 2006.

6. In view of such circumstances, the trial court is directed to positively conclude examination of witnesses by April, 2023 and dispose of the case by May, 2023.

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

8. 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.)