

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2642 of 2022

Shekh Motabber alias Nadu

-Vs-

The State of West Bengal

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

For the State:- Mr. Imran Ali, Adv.,
 Ms. Debjani Sahu, 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. 35 of 2021 filed by the petitioner/accused person in custody arising out of Swarupnagar Police Station Case no. 247 of 2021 dated 3rd March, 2021 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. Imran Ali and Ms. Debjani Sahu learned advocates are requested to assist this court on behalf of the state. Appointment of Mr. Imran Ali and Ms. Debjani Sahu be regularized by the learned Legal Remembrancer, Government of West Bengal.

3. It is submitted by the learned advocates for the petitioner that the petitioner was arrested on 3rd March, 2021 allegedly for 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 30th April, 2021 under Section 21(C) of the NDPS Act proposing 11 witnesses to be examined, all of whom are police personnel. Thereafter supplementary chargesheet was submitted on 20th December, 2021 adding another witness to be examined. Thereafter charge was framed on 11th March, 2022 and next date was fixed on 13th June, 2022 for production and evidence. No witness has been examined out of 12 witnesses and the next date is fixed on 22.08.2022 and 23.08.2022.

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 June, 2023 and dispose of the case by August, 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.)