

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2643 of 2022

Md. Azharuddin Mondal alias Kochi

-Vs-

The State of West Bengal

For the petitioner:	Mr. Angshuman Chakraborty, Adv Mr. Shashanka Shekhar Saha, Adv.,
For the State:	Mr. Swapan Banerjee, Adv., Mr. Suman De, 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. 85 of 2021 filed by the petitioner/accused person in custody arising out of Baduria Police Station Case no. 344 of 2021 dated 26th June, 2021 under Section 21(C)/29 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. Swapan Banerjee and Mr. Suman De learned advocates are requested to assist this court on behalf of the state. Appointment of Mr. Swapan Banerjee and Mr. Suman De 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 26th June, 2021 on the allegation of committing offence under Section 21(C)/29 of the Narcotics Drugs and Psychotropic Substances Act, 1984. Since then, he is in custody. After completion of investigation Chargesheet was submitted on 10th August, 2021 under Section 21(C)/29 of the NDPS Act proposing 6 witnesses to be examined, all of whom are police personnel. Thereafter supplementary chargesheet was submitted on 2nd February, 2022 adding two more witness to be examined. Thereafter charge was framed on 24th March, 2022 and next date was fixed on 24th June, 2022 for production and evidence. No witness has been examined out of 8 witnesses and the next date was 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 within six months from the date of communication of this order and deliver judgment within one month thereafter.

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.)