

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2695 of 2022

Deepu Singh

-Vs-

The State of West Bengal

For the petitioner: Mr. Sandip Dinda, Adv.,

For the State:- Mrs. Faria Hossain, Adv.

Heard on: 1st September, 2022.

Judgment on: 1st September, 2022.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of NDPS case no. 31 of 2019 filed by the petitioner/accused person in custody arising out of S.T.F. Police Station Case no. 29 of 2019 dated 09.08.2019 under Section 21(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned Judge -I, N.D.P.S. Act, City Sessions Court, Calcutta.

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 Mrs. Faria Hossain, learned advocate is requested

to assist this court on behalf of the state. Appointment of Mrs. Faria Hossain 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 8th August, 2019 under Section 21(c)/29 of the Narcotics Drugs and Psychotropic Substances Act, 1984. Since then he is in custody. On 29th March, 2022 charge was framed under Section 21(c) of the NDPS Act after almost 3 years. In the meantime several adjournments were taken and only one witness was examined on 16th June, 2022 out of 9 witnesses. Subsequently next date was fixed for recording evidence on 20th August, 2022.

4. 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.

5. Under such circumstances, the instant revision is disposed of directing the trial court to instruct the prosecuting agency to produce the charge-sheeted witnesses on behalf of the prosecution for examination positively on the date fixed. The learned trial judge is also directed to carry on the trial of the case fixing a schedule for examination of the witness in accordance with the provision under Section 309 of the Cr.P.C.

6. The instant criminal revision is accordingly disposed of.
7. In view of such circumstances, the instant revision is disposed of directing the Trial Court to dispose of the above mentioned case within six months from the date of communication of this order.
8. The petitioner is at liberty to communicate the server copy of the order in the court below.

(Bibek Chaudhuri, J.)