

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2849 of 2022

Md. Sebgatullah alias Jamai

-Vs-

The State of West Bengal

For the Petitioner: Mr. Shashanka Shekhar Saha, Adv.,

For the State: Mr. Saibal Bapuli, Adv.,
 Mr. B. Bhattacharya, 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. 97 of 2021 filed by the petitioner/accused person in custody arising out of Ashoknagar Police Station Case no. 582 of 2021 dated 5th August, 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. Saibal Bapuli and Ms. B. Bhattacharya learned

advocates are requested to assist this court on behalf of the state. Appointment of Mr. Saibal Bapuli and Ms. B. Bhattacharya 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 4th August, 2021 under Section 21(C)/29 of the Narcotics Drugs and Psychotropic Substances Act, 1984 and since then, he is in custody. After completion of investigation Chargesheet was submitted on 20th January, 2022 under Section 21(C)/29 of the NDPS Act proposing 18 witnesses to be examined. Thereafter charge was framed on 9th March, 2022 and next date was fixed on 6th June, 2022 for evidence. No witness has been examined out of 18 witnesses and the next date was fixed on 23.09.2022.

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 within eight months from the date of communication of the 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.)