

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2943 of 2022

Firoj Ahamed

-Vs-

The State of West Bengal

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

For the State: Mrs. Faria Hossain, Adv.,
 Mr. Anand Keshari, 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. 64 of 2020 filed by the petitioner/accused person in custody arising out of Baduria Police Station Case no. 95 of 2020 dated 29th February, 2020 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 Mrs. Faria Hossain and Mr. Anand Keshari learned

advocates are requested to assist this court on behalf of the state. Appointment of Mrs. Faria Hossain and Mr. Anand Keshari 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 29th February, 2020 allegedly for committing offence under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984 and since then, he is in custody. After completion of investigation Chargesheet was submitted on 29th April, 2020 under Section 21(C) of the NDPS Act proposing 7 witnesses to be examined, all of whom are police personnel. Thereafter supplementary chargesheet was submitted on 17th October, 2020 adding one more witness. Thereafter, charge was framed on 5th October, 2021 and next date was fixed on 24th February, 2022 for production and evidence. No witness has been examined and the next date was fixed on 07.09.2022 and 08.09.2022 for evidence.

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.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.4680 G dated 6th December, 2006.

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