

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 2964 of 2022

Gauranga Adhikary

-Vs-

The State of West Bengal

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

For the State: Mr. B.K.Roy, Adv.,
Mrs. Sima Biswas, 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. 134 of 2019 filed by the petitioner/accused person in custody arising out of Baduria Police Station Case no. 420 of 2019 dated 12th September, 2019 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. B.K.Roy and Mrs. Sima Biswas learned

advocates are requested to assist this court on behalf of the state. Appointment of Mr. B.K.Roy and Mrs. Sima Biswas 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 12th September, 2019 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 charge was framed on 20th September, 2021 under section 21(c) of the NDPS Act proposing 9 witnesses to be examined. The next date was fixed on 21st January, 2022 for evidence. PW1 was examined out of 9 witnesses after several adjournments. Next date was fixed on 06.09.2022 to 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.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 July, 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.)