

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 3161 of 2022

**Fazlur Rahaman
Vs.
The State of West Bengal**

For the petitioner : Ms. Malashree Ghosh, Adv.

For the State : Mr. Sandip Chakraborty, Adv.

Judgement on : 20.12.2022.

Bibek Chaudhuri, J.

By filing the instant application, the petitioner has prayed for expeditious disposal of NDPS Case No. N-172/2021 presently pending before the learned Additional Sessions Judge, NDPS Act, 6th Court at Barasat under Section 21(C) of the NDPS Act.

It is submitted on behalf of the petitioner that the accused was arrested on 19th December, 2021 allegedly while possessing some narcotic substances. Charge-sheet was filed against the petitioner on 13th February, 2022. Subsequently, supplementary charge-sheet was also filed. The case was fixed for consideration of charge on 28th October, 2022. However, on that date the learned Trial Judge did not frame charge against the accused and fixed 14th December, 2022 for consideration of charge against the petitioner. On the subsequent

date also the learned Trial Judge failed to frame charge against the accused persons. Therefore, the petitioner has prayed for a direction upon the Trial Court so that charge may be framed against the petitioner and the case may be taken to trial.

This Court is of the view that the instant revision can be disposed of here and now with the assistance of the learned Public Prosecutor-in-Charge.

Mr. Sandip Chakraborty, learned Public Prosecutor-in-charge is requested to assist this Court on behalf of the State of West Bengal. The petitioner is requested to serve a copy of the application to Mr. Chakraborty. Appointment of Mr. Chakraborty be regularized by the learned Legal Remembrancer, Government of West Bengal.

It is submitted by Mr. Chakraborty that the instant revision may be disposed of directing the learned Court below to frame charge on the next date fixed and considering the fact that there are only eight witnesses to be examined the learned Trial Judge may be directed to examine the witnesses within a fixed period of time.

In view of such submission made by the learned Advocate for the State, the instant revision is disposed of directing the learned Trial Judge to frame charge against the accused persons positively on the next date fixed. Subsequently, the learned Trial Judge shall take all endeavour to examine eight numbers of chare-sheeted witnesses within eight months from the date of communication of this order.

The instant revision is, thus, **disposed of**.

The parties are at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)

Srimanta, A.R.(Ct.)
Item No. 20.