

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 3458 of 2022
Saifuddin Gayen
-Vs-
The State of West Bengal

For the petitioner: Mr. Angshuman Chakraborty, Adv
 Mr. Shashanka Shekhar Saha, Adv.,

For the State:- Mr. Arijit Ganguly, Adv.,
 Mr. S.K. Dan, Adv

Heard on: 14 December, 2022

Judgment on: 14 December, 2022.

BIBEK CHAUDHURI, J. : -

1. This is an application for a direction upon the trial court for expeditious disposal of the case No.N 103/2019 arising out of Swarunpnagar Police Station Case No.482 of 2019 dated 13th July, 2019 under Section 21(C) of the Narcotics Drugs and Psychotropic Substance Act, 1985, presently pending before the learned Additional Sessions Judge, 6th Court at Barasat.

2. The accused is the petitioner before this Court. It is submitted by the petitioner that in connection with the above mentioned case the petitioner was arrested on 13th July, 2019 and he is still in custody.

3. Investigation of the case is concluded on submission of charge-sheet dated 31st August, 2019 citing nine witnesses to prove the charge against the accused. Subsequently, on 15th February, 2021

supplementary charge-sheet was submitted by the Investigating Officer wherein two more witnesses were shown to be examined on behalf of the prosecution. Thus, in all there are eleven witnesses to be examined. The learned trial judge framed charge against the accused on 16th March, 2021. Subsequently, series of schedules were fixed till 23rd September, 2022 but the prosecution failed to produce any witness during this period.

4. This Court is not unmindful to note that at the relevant point of time there are Covid Pandemic. Therefore, it might not be possible for the prosecution to produce the witnesses.

5. However, at this stage there is no impediment from examining the witnesses for speedy disposal of the case. It is not desirable that a person should be in judicial custody since 13th July, 2019.

6. Under such circumstances, the instant revision is disposed of directing the trial court to fix specific schedule in accordance with the provision of Section 309 of the Code of Criminal Procedure and examine all the witnesses on behalf of the prosecution within six months from the date of this year. He shall come to logical ends of the case one month thereafter.

7. The instant revision is accordingly disposed of.

(Bibek Chaudhuri, J.)