

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 3992 of 2022

Ranjit Das

-Vs-

The State of West Bengal

For the Petitioner: Mr. Subhajit Chowdhury, Adv.,

For the State: Mr. Swapan Banerjee, Adv.
Mr. Suman De, Adv

Heard on: 14th December, 2022

Judgment on: 14th December, 2022.

BIBEK CHAUDHURI, J. : –

1. This is an application for a direction upon the trial court for expeditious disposal of a Criminal Case pending against the petitioner under Sections 20(b)(ii)(c)/29 of the Narcotics Drugs and Psychotropic Act being Case No. N-26/2021 in the court of learned Special Judge (NDPS) at Barrackpore.

2. It is stated by the petitioner that he was arrested allegedly while possessing narcotic substance above commercial quantity on 10th April, 2021. Since then the petitioner is in custody. It is further submitted that on 24th September, 2021, police submitted charge sheet against the petitioner and other accused persons in the abovementioned case and the trial court framed charge against the accused persons on 1st September,

2022. There are 13 chargesheeted witnesses. Schedule of examination of the witnesses was fixed on 28th November and 29th November, 2022, but no witness was produced on behalf of the prosecution. The petitioner also states that he is in custody for more than 570 days without trial and trial of the case needs to be expedited.

3. I have duly considered the submission made by the learned Advocate for the petitioner. From the averment made in the petition, this Court is of the view that the trial court does not cause any intentional delay in proceeding with this case.

4. At the same time this Court intends to remind the trial court 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.

5. Under such circumstances, the instant revision is disposed of directing the trial court to follow the guideline issued by the Hon’ble High Court in “Case Flow Management” and take all endeavour to conclude trial of the case within the said time frame. The trial court is further directed to take positive step so that the prosecution must produce the witnesses on the next schedule fixed by it.

6. The instant revision is thus disposed of on contest.

7. 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.)