

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 29 of 2023

Jitendra Chowdhury @ Sadhu & Anr.

-Vs-

The State of West Bengal

For the petitioners: Mr. Arunava Ganguly, Adv

For the State: Ms. Trina Mitra, Adv.,

Heard on: 17th January, 2023.

Judgment on: 17th January, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of N case no. 18 of 2021 filed by the petitioners/accused persons in custody arising out of Uttara Para Police Station Case no. 197 of 2021 dated 30th May, 2021 under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned Additional Sessions Judge cum Judge Special Court, Chinsurah.

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 Ms. Trina Mitra learned advocate is requested to

assist this court on behalf of the state. Appointment of Ms. Trina Mitra be regularized by the learned Legal Remembrancer, Government of West Bengal.

3. It is submitted by the learned advocate for the petitioners that the petitioners were arrested on 30th May, 2021 on the allegation of committing offence under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984. Since then, they are in custody. After completion of investigation Chargesheet was submitted on 8th November, 2021 and framed charge on 18th June, 2022. reafter supplementary charge-sheet was submitted on 4th January, 2022 adding 2 more witnesses and on 29th March, 2022 charge was framed. The next date was fixed on 29th June, 2022 for production and evidence. Out of 9 witnesses only two witnesses has been examined and next date was fixed on 27th September, 2022 and 28th September, 2022 for production and evidence.

4. It is further submitted by the learned Advocate 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 within six months from the date of communication of this order and deliver judgment within one month thereafter.

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.)