

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 54 of 2023

Akash Roy @ Bumba

-Vs-

The State of West Bengal

For the petitioner: Mr. Arunava Ganguly, Adv

For the State: Mrs. Sayanti Santra, 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. 25 of 2019 filed by the petitioner/accused person in custody arising out of Uttarpara Police Station Case no. 479 of 2019 dated 12th September, 2019 under Section 21(b)(ii)(c) of the Narcotics Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned Additional Sessions Judge cum Judge Special Court, Chinsurah, Hooghly.

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 Mrs. Sayanti Santra learned advocate is requested

to assist this court on behalf of the state. Appointment of Mrs. Sayanti Santra 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 on the allegation of committing offence under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984. Since then, he is in custody. After completion of investigation Chargesheet was submitted on 4th March, 2020 and charge was framed on 6th September, 2021 under section 21(c) of the NDPS Act after several adjournments. On several occasions adjournments are given but not a single witness has been examined till date. The next date has been fixed on 24th January, 2023 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 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.)