

IN THE HIGH COURT AT CALCUTTA  
CRIMINAL REVISIONAL JURISDICTION  
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

**CRR 100 of 2023**

**Apu @ Bapi Mitra**

**-Vs-**

**The State of West Bengal**

For the petitioner: Mr. Arunava Ganguly, Adv

For the State: Mr. Ranadeb Sengupta, Adv.,

Heard on: 17<sup>th</sup> January, 2023.

Judgment on: 17<sup>th</sup> January, 2023.

**BIBEK CHAUDHURI, J. : –**

1. This is an application for expeditious disposal of N case no. 47 of 2019 filed by the petitioner/accused person in custody arising out of Uttarpara Police Station Case no. 594 of 2019 dated 23<sup>rd</sup> November, 2019 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, 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 Mr. Ranadeb Sengupta learned advocate is

requested to assist this court on behalf of the state. Appointment of Mr. Ranadeb Sengupta 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 23<sup>rd</sup> November, 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 supplementary chargesheet along with chemical report was submitted on 29<sup>th</sup> January, 2021 and charge was framed on 22<sup>nd</sup> December, 2021 under section 21(C) of the NDPS Act after several adjournments. Till date not a single witness has been examined and the next date has been fixed on 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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.)**