

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

CRR 240 of 2023

**Tinku Sk.
Vs.
State of West Bengal**

**For the petitioner : Mr. Mohammed Amin,
Mr. Ghulam Muztaba.**

**For the State : Mr. Tanmoy Kumar Ghosh,
Ms. Pritha Paul.**

Judgement on : 28.03.2023.

Bibek Chaudhuri, J.

The petitioner has approached this Court for expeditious disposal of NDPS Case No. 47/2019 pending before the learned Special Judge (NDPS Court), Bench – I, City Sessions Court, Calcutta. It is submitted on behalf of the petitioner that the petitioner was arrested on 20th November, 2019 on the allegation that he was in possession of narcotic substance in violation of law. On 14th May, 2020 Police submitted charge-sheet under Section 22(c)/29 of the NDPS Act. On 17th February, 2022 the Trial Court framed charge and on 6th April, 2022 only one witness was examined in part on behalf of the prosecution. Subsequently, several dates were fixed but no witness has been examined.

Having heard the learned Advocate for the petitioner this Court is of the view that the instant revision can be disposed of here and now directing the Trial Court to dispose of the case expeditiously with the assistance of the learned Public Prosecutor-in-Charge. Mr. Tanmoy Kumar Ghosh, learned Public Prosecutor-in-Charge is requested to assist this Court on behalf of the prosecution. The appearance of Mr. Ghosh be regularized by the learned Legal Remembrancer, Government of West Bengal.

It is ascertained from the submission made by the learned Advocate for the petitioner that though charge was framed on 17th February, 2022, the instant case being triable by the Special Court in the rank of the learned Sessions Judge, he does not adopt the provision of Section 309 of the Code of Criminal Procedure and fix a schedule for hearing of all charge-sheeted witnesses. Days are fixed after a gap of three months and even the dates are fixed on holidays.

In view of such circumstances, the learned Trial Judge is directed to conclude the trial of the above-mentioned case within eight months from the date of this order. Thereafter, he will come to a logical conclusion of the case.

The instant revision is, accordingly, disposed of.

(Bibek Chaudhuri, J.)