

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 297 of 2023

Sk. Sahabuddin @ Hablu

-Vs-

The State of West Bengal

For the petitioner: Mr. Arunava Ganguly, Adv.,

For the State: Mrs. Benazir Hasna, Adv.,

Heard on: 4th April, 2023.

Judgment on: 4th April, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of NDPS case no. 49 of 2019 filed by the petitioner/accused person in custody arising out of Rishra Police Station Case no. 102 of 2019 dated 30th 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 Mrs. Benazir Hasna learned advocate is requested to assist this court on behalf of the state. Appointment of Mrs. Benazir

Hasna 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 30th November, 2019 and since then he is in custody. After completion of investigation Chargesheet along with supplementary chargesheet was submitted on 21st January, 2020. Thereafter charge was framed on 22nd November, 2021 under Section 21(c) of the NDPS Act fixing 10th February, 2022 for 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 disposed of with the above order on contest.

(Bibek Chaudhuri, J.)