

D/L78
15.06.2023
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C.R.R.926 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure;

Archana Sarkar
Versus
The State of West Bengal

Mr. Angshuman Chakraborty.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,
Ms. Anauya Ghosh.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Ms. Anasuya Sinha, learned advocate, who ordinarily appears on behalf of the State. Her appointment may be regularised by the concerned authorities.

Learned advocate for the petitioner submits that the petitioner is in custody since February, 2022, that is, more than 16 months. In this case, it has been pointed out that charge-sheet was submitted on 11th August, 2022 and charge was framed on 10th November, 2022. Learned advocate for the petitioner additionally submits that the prosecution in order to prove its case has relied upon 9 witnesses, but till date, none of the witnesses have been examined in spite of dates being fixed.

Having considered the fact that the petitioner is in custody for about 16 months, I am of the view that the anxiety expressed by the learned advocate is justified. Accordingly, it is directed that the learned trial court would fix at least a schedule

consisting of three dates. At least one schedule must be fixed on each and every 60 days. If there are any reluctance of any witnesses belonging to the Government Department to appear on the date so fixed, learned special court would immediately communicate with the Superintendent of Police of the concerned district who is maintaining a register regarding the progress of the NDPS cases. No unnecessary adjournment should be granted to either of the parties. The public prosecutor conducting the case should ensure regarding the production of the materials, exhibits and documents available on the date so fixed for examination of the witnesses concerned. All stakeholders should cooperate for concluding the trial at the earliest.

With the aforesaid observations, CRR 926 of 2023 is disposed of.

Pending application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)