

23-03-2023
Subha
Item no. 32
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

C.R.R 1274 of 2021

Manick Roy
-versus-
The State of West Bengal

Mr. Sudip Ghosh Chowdhury
Mr. Argha Das
Mrs. Bina Baidya

....for the petitioner.

Mr. Arijit Ganguly
Ms. Debjani Sahu

...for the State.

The petitioner approached this court for expeditious disposal of NDPS Case No. 24 of 2020 arising out of Chandannagar Police Station No. 40 of 2020 dated 28.05.2020 under Section 22 (c) of the NDPS Act.

The present petitioner was arrested on 28th May, 2020 with allegedly two liters of Codeine Mixture being in his possession. It has been submitted that on conclusion of investigation, chargesheet was submitted and charge has also been framed by the learned special court.

Three of the witnesses have already examined and the prosecution proposed to examine about 10 witnesses in detail.

The petitioner is in custody for about two years 10 months and the learned special court by its order dated 13th March, 2023 has fixed a schedule from 4th May, 2023 to 10th May, 2023 for examination of CSW nos. 5, 7,8 & 9. Even the schedule reflects that by the next date, the petitioner's detention would be about 3 years.

Having considered the detention and the speed at which the trial is progressing, I direct the petitioner to serve a copy of the application upon Mrs. Debjani Sahu, learned advocate who ordinarily appears on behalf of the State. Her appointment may be regularized by the concerned authorities in due course.

Learned advocate for the State would inform the Commissioner of Police, Chandannagar Police Commissionerate, who would engage the Deputy Commissioner in Charge of Chandannagar Police Station to act as a Nodal Officer who would ensure that the witnesses are present on the dates so fixed by the learned special court in connection with NDPS Case No. 24 of 2020.

The learned trial court is directed that after the next schedule so fixed in the month of May, 2023, the other schedule be fixed at least in every month so that the trial can be concluded within a reasonable period of time.

No unnecessary adjournment should be granted to either of the parties and none of the witnesses would be excused from appearing in court on vague and flimsy grounds. The Public Prosecutor conducting the case would also be liberty to communicate with the Nodal Officer regarding the execution of process of the witnesses as also regarding the availability of the materials at the time of the trial of the case. All efforts must be made so that the trial of the case is concluded at the earliest.

With the aforesaid observations, the revisional application being CRR 1274 of 2021 is disposed of.

Pending applications, if any, are consequently disposed of.

As directed above, the Mrs. Sahu, learned advocate for the State would communicate this order to the Commissioner of Police, Chandannagar Police Commissionerate for compliance thereof.

All concerned parties are to act in terms of a copy of this order duly downloaded from the official website of this court.

[Tirthankar Ghosh, J]