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07.06.2023
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C.R.R. No.1622 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973 read with Article 227 of the Constitution of India;

Prosenjit Mondal
Versus
The State of West Bengal

Mr. Soujanya Bandyopadhyay.
...for the petitioner.

Mr. Saswata Gopal Mukherjee, Ld.P.P.,
Mr. Koushik Kundu.
...for the State.

Petitioner is aggrieved by the progress of the trial of N-96 of 2022 arising out of Bongaon Police Station Case No.966 of 2022 dated 15.09.2022 under Section 20(b)(ii)(c)/29 of the NDPS Act pending before the learned Judge, Special Court (NDPS), 6th Additional Sessions Judge, Barasat.

Petitioner has referred to the order dated 04.03.2022 and submitted that the schedule was fixed in the month of May, 2023. However, none of the witnesses appeared on the said date. The next schedule has been fixed on or from 20th July, 2023.

Petitioner is directed to serve a copy of the revisional application upon Mr. Koushik Kundu, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authorities.

I have considered the anxiety of the petitioner. It is henceforth directed that if the witnesses are not present on the schedule so fixed before the learned trial court, the learned trial

court would be at liberty to inform the concerned Superintendent of Police who is maintaining a register regarding the progress of the NDPS case for availability of the witnesses. Learned trial court would, according to his diary, fix schedule of dates and would ensure regarding the presence of the witnesses on the schedule so fixed. No unnecessary adjournment should be granted to either of the parties. The public prosecutor conducting the case would ensure regarding the availability of the material exhibits and/or other documents on which the prosecution intends to rely on the date so fixed for examination of the witnesses. All the parties are directed to cooperate for concluding the trial within a reasonable period of time.

With the aforesaid observations, CRR 1622 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.)