

D/L41
23.06.2023
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C.R.R.2270 of 2023

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

Gopal Biswas
Versus
The State of West Bengal

Mr. Angshuman Chakraborty,
Mr. Shashanka Shekhar Saha.
...for the petitioner.

Ms. Baisali Basu.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Ms. Baisali Basu, 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 9th January, 2022, i.e. more than 18 months and till date no witness could be examined. Learned advocate also submits that in this case charge was framed on 21st February, 2023 and the prosecution in order to prove its case has relied upon 14 witnesses.

In view of the detention of the petitioner for about 18 months, I am of the view that the anxiety so expressed by the learned advocate for the petitioner is justified.

Accordingly, learned trial court is directed that after 10th July, 2023 the next date so fixed by the learned trial court, at least one schedule consisting of three dates be fixed once in every two

months so that the trial of the case can be taken to its logical conclusion within a reasonable period of time. No unnecessary adjournment should be granted to either of the parties. In case any of the Government/Departmental witnesses are not available, the learned trial court would communicate with the Superintendent of Police/Commissionerate of Police, who is supposed to maintain a register regarding the progress of NDPS cases so that the absentee witnesses may be made available before the court. The public prosecutor conducting the case should ensure regarding the production of the materials, exhibits and documents on the dates so fixed for examination of the witnesses. All stakeholders should co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 2270 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.)