

Form J(1)

**IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side**

Present :

The Hon'ble Justice Bibek Chaudhuri

C.R.R. 2447 of 2022

Ram Prasad Dey @ Ram

Vs.

The State of West Bengal

For the petitioner : Mr. Anirban Chakraborty, Adv.

**For the State : Mr. Anwar Hossain, Adv.
Ms. Manisha Sharma, Adv.**

Heard on : 17.04.2023.

Judgment On : 17.04.2023.

Bibek Chaudhuri, J.

Leave is granted to correct the case number in the cause title of the instant revision.

Petitioner has prayed for a direction for expeditious disposal of NDPS Case No. TR 08 of 2017 under Sections 20b(ii)c/29 of the Narcotic Drugs and Psychotropic Substances Act. The said case is pending before the learned Special Judge under the NDPS Act, Howrah.

On perusal of the instant revision and having heard the learned Advocate for the petitioner, this Court is of the view that the instant revision can be disposed of with the assistance of the learned Public Prosecutor-in-Charge on behalf of the State. Therefore, Ms. Sharma, learned Advocate is requested to assist this Court on behalf of the State of West Bengal.

Appointment of Ms. Saha be regularized by the learned Legal Remembrancer, Government of West Bengal.

It is submitted by the learned Advocate for the petitioner that petitioner was arrested on 28th May, 2017. Thereafter, charge-sheet was submitted against the petitioner in the year 2017 itself. The learned Trial Judge framed charge against the accused on 28th June, 2018. During this period, out of 16 charge-sheeted witnesses, 7 witnesses have already been examined and remaining 9 witnesses are required to be examined.

It is found from the materials on record that the learned Trial Judge has taken more than 5 years to examine 6 witnesses.

Therefore, there is every reason to hold that the trial of the case protracted due to laches and negligence on the part of the prosecution.

In view of such circumstances, the learned Trial Judge is directed to instruct the learned Special Public Prosecutor, NDPS to produce the witnesses positively on the dates of examination of the witnesses. He is further directed to conclude the trial of the case within six months from the date of this order.

The instant revision is accordingly disposed of.

The parties are at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)

**Mithun De/
A.R. (Ct).
SI No.139.
D/L.**