

Form J(1)

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

**Present :
The Hon'ble Justice Bibek Chaudhuri**

C.R.R. 2772 of 2022

***Md Monirul Islam
Vs.
The State of West Bengal***

For the petitioners : Mr.Gourab Kumar Nath, Adv.

Heard on : 09.01.2023

Judgment On : 09.01.2023.

Bibek Chaudhuri, J.

This is an application for a direction of expeditious disposal of a case bearing No.N-4/2018 arising out of Swarupnagar Police Station Case No.940 of 2017 dated 24th December, 2017 under Sections 21(c) of the Narcotic Drugs and Psychotropic Substances Act presently pending before the learned Additional Sessions Judge, 6th Court at Barasat.

It is submitted on behalf of the petitioner that petitioner was arrested on 24th December, 2017 with the allegation that he was possessing narcotic substance with commercial quantity.

After investigation police submitted charge-sheet on 17th December, 2018 and subsequently supplementary charge-sheet along with the chemical examination report was filed on 31st May, 2019. The Trial Court framed charge against the accused under Section 21 (c) of the Narcotic Drugs and Psychotropic Substances Act on 29th November, 2019. Subsequently more than 2 years have elapsed but prosecution failed to examine any witness in the meantime. As per the charge-sheet, there are 10 witnesses to be examined.

Having heard the learned Advocate for the petitioner, this Court is of the view that the instant revision can be disposed of here and now.

It is a matter of fact that since March, 2020 to March, 2022, normal functioning of the Court could not be commenced due to Covid pandemic. However, the Trial Court is under obligation to take special care of cases where the accused persons are languishing in judicial custody for more than 5 years and waiting for trial.

Under such circumstances, learned Special Judge is directed to fix a specific schedule within one month from the date of communication of this order and examine 10 charge-sheeted witnesses within four months thereafter.

The learned Special Judge is also directed to come to a logical conclusion of the case within one month thereafter.

Petitioner is at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)

***Mithun De/
A.R. (Ct).
SI No.20.
D/L.***