

01-08-2023
Subha
Item no. 76
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 2766 of 2023

Mohidul Sarkar
-versus-
State of West Bengal

Mr. Arnab Chatterjee
Ms. Dhanasree Biswas
Ms. Poulami Bose
Ms. Chandrima Debnath
.....for the petitioner.

Mr. S. G. Mukherji, ld PP
Mr. Koushik KUndu
...for the State.

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 regularized by the concerned Authorities in due course.

Mr. Chatterjee, learned advocate for the petitioner submits that the petitioner was arrested on 14.09.2022. Chargesheet was filed on March, 2023. Charges were framed on 15th July, 2023.

Records reveal that the prosecution in order to prove its case has relied upon 14 witnesses, out of which 12 witnesses belong to government department and two are independent witnesses. The next date has been fixed by the learned trial court for fixing schedule of the case. The petitioner is in custody since 14.09.2023. As such the anxiety expressed by the petitioner is justified.

The learned trial court is directed to fix at least a schedule of three dates and fix a schedule 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 adjournments should be granted to either of the parties.

In case, any departmental government witness do not appear or is reluctant to appear, the learned trial court would immediately communicate with the Superintendent of Police/Commissioner of Police of the concerned District/Zone who is maintaining a register for progress of the NDPS cases. The Public Prosecutor appearing in the case would produce the materials, documents and exhibits on the dates fixed for examination of the witnesses concerned. All efforts be taken by the stake-holders to cooperate with the trial court so that the trial is concluded at the earliest possible time.

With the aforesaid observations, the present revisional application being CRR 2766 of 2023 is disposed of.

Pending applications, if any, are consequently disposed of.

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]

