

Form J(1)

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction
Appellate Side

PRESENT:

The Hon'ble Justice Bibek Chaudhuri

CRR 2949 of 2022

Daya Sankar Tiwari @ Sankar Tiwari
vs.
The State of West Bengal

For the Appellant : Mr. Arunava Ganguly

Judgment on : 10.04.2023

Bibek Chaudhuri, J.

The accused in custody is facing trial under the charge of Section 21(C) of the Narcotic Drugs and Psychotropic Substances Act. The petitioner has prayed for expeditious disposal of the criminal case instituted against him.

This Court is of the view that the instant revision can be disposed of with the assistance of the learned Public Prosecutor-in-Charge.

Ms. Puspita Saha, learned advocate is requested to assist the Court on behalf of the prosecution. Appointment of Ms. Puspita Saha be regularised by the learned Legal Remembrancer, Government of West Bengal.

It is submitted on behalf of the petitioner that he was arrested on 16th July, 2020 on the allegation that he was possessing codeine mixture above commercial quantity. After submission of charge-sheet, the Trial

Court framed charge against the accused on 17th November, 2021. However, till date not a single witness has been examined. It is found from the certified copy of the order-sheet that the learned Trial Judge went on fixing dates mechanically for examination of the witnesses without taking any proactive approach for production of witnesses on behalf of the prosecution.

Therefore, learned Trial Judge is directed to take proactive approach and stimulate learned Public Prosecutor so that the witnesses on behalf of the prosecution may be produced before the Trial Court on the next date of hearing positively. He is further directed to conclude hearing of the case within eight months from the date of communication of this order.

The instant revision is disposed of with the above direction.

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

(Bibek Chaudhuri, J.)