

D/L68
22.08.2023
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C.R.R.3034 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973;

Subhash Das @ Pokai
Versus
The State of West Bengal

Mr. Debasis Kar
Mr. Husen Mustafi
Mr. S. Chowdhury.
...for the petitioner.

Mr. Saswata Gopal Mukherjee,Ld.P.P.,
Mr. Pravas Bhattacharya
Mr. M.F.A. Begg.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Pravas Bhattacharya, learned advocate, who ordinarily appears on behalf of the State. His appointment may be regularised by the concerned authorities.

Learned advocate appearing for the petitioner submits that the petitioner was arrested on 3rd December, 2021 and since then he is in custody. The Investigating Authorities after completion of investigation has submitted charge-sheet and relied upon 8 witnesses. The learned trial court after framing of charges has been pleased to fix three schedule but till date none of the witnesses have been examined and the next date has been fixed on 11th September, 2023.

Having considered the fact that the petitioner is in custody for about 19 months, I direct that the learned trial court

henceforth would fix a schedule of three dates once in every 60 days so that the trial can be taken to its logical conclusion within a definite period of time. No unnecessary adjournment should be granted to either of the parties. In case no witness is present, information should be sent to the Superintendent of Police/Commissionerate of Police of the concerned District who is maintaining a register in respect of the progress of NDPS cases. The concerned authorities would take steps for ensuring the appearance of the witnesses on the date so fixed for trial. The public prosecutor conducting the case should ensure regarding the production of the materials, exhibits and documents available 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 3034 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.)