

17-11-2023
Subha
Item no. 20
Ct no.34

IN THE HIGH COURT AT CALCUTTA
Criminal Revisional Jurisdiction

CRR 3794 of 2023

Ataur Rahaman
-versus-
State of West Bengal

Mr. Arnab Chatterjee
Ms. Poulami Bose
.....for the petitioner.

Mr. Anwar Hossain
Ms. Ratna Ghosh
...for the State.

Affidavit of service so filed be kept with the record.

Pursuant to the direction of this court, Mr. Anwar Hossain, learned advocate appears on behalf of the State.

The revisional application was preferred for expeditious disposal of NDPS Case No. 231 of 2021 pending before the learned Judge, Special Court under the NDPS Act cum Additional District Judge, 2nd court, Berhampore, Murshidabad which arose out of Lalgola Police Station Case No. 756 of 2021 dated 25th October, 2021. The petitioner was arrested on 25th October, 2021 and more than two years the petitioner is in custody as submitted by the learned advocate for the petitioner, chargesheet was submitted on April, 2022 and charge was framed on September, 2023 and the next date has been fixed for evidence on 5th February, 2024.

The anxiety expressed by the petitioner is that the petitioner is in custody for more than two years and till date evidence has not

commenced. Having regard to the agony so expressed, I am of the opinion that the same is justified. Accordingly, the learned trial court would fix a schedule consisting of three dates and such schedule be fixed once in every forty-five days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

In case, if any of the witnesses is not appearing or reluctant to appear, be it independent witness or a departmental witness, the learned trial court will communicate with the Superintendent of Police of the concerned District who would take steps for ensuring the presence of the witness on the dates so fixed before the learned trial court.

No unnecessary adjournments should be granted to either of the parties.

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 within a reasonable period of time.

With the aforesaid observations, the present revisional application being CRR 3794 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]

