

CRR 3935 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973 in connection with Amdanga P.S. Case No. 287/2022 dated 15.06.2022 under Section 21(C) of the NDPS Act, 1985. NDPS No. 89/2022.

In the matter of : Sahabuddin Mondal

...petitioner.

Mr. Angshuman Chakraborty, Adv.,
Mr. S.S. Saha, Adv.

...for the petitioner.

Mr. Sanjib Kumar Dan, Adv.

...for the State.

Pursuant to the service effected, Mr. Sanjib Kumar Dan, learned Advocate, appears on behalf of the State.

According to learned Advocate for the petitioner, the petitioner was arrested on 15th of June, 2022. Charge-sheet was submitted on 13th of September, 2022 and charge was framed by the learned Special Court on 23rd January, 2023. The grievance of the petitioner is that out of fourteen witnesses so relied upon by the prosecution only two witnesses till date have been examined and the next date has been fixed on and from 15th of December, 2023.

Having considered the fact that the petitioner is in custody for almost one and a half year and only two witnesses have been examined, I am of the view that the agony so expressed by learned Advocate for the petitioner is justified.

Accordingly the learned Trial Court is directed that on and from the next date the learned Trial Court would fix at least a schedule of three dates and fix such schedule once in every 45

days so that the trial of the case can be taken to its logical conclusion within a reasonable period of time.

No unnecessary adjournment should be granted to either of the parties. In case any witness is absent, the learned Special Court will communicate to the Superintendent of Police of the concerned district and the Superintendent of Police would take steps for ensuring the appearance of the witnesses.

In case any witness is not traceable and cannot be found, a report be immediately sent to the learned Special Court by the Superintendent of Police.

Learned public prosecutor conducting the case would ensure regarding the production of materials, documents and exhibits on the dates so fixed for examination of the witnesses.

All stakeholders would co-operate with the learned Trial Court so that trial of the case would come to a conclusion at the earliest.

With the aforesaid observations, the revisional application being CRR 3935 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All concerned 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 with all requisite formalities.

(Tirthankar Ghosh, J.)