

CRR 3936 of 2023

In Re: An application under Section 482 of the Code of Criminal Procedure, 1973 in connection with Matia P.S. Case No. 97/2022 dated 25.03.2022 under Section 21(C) of the NDPS Act, 1985. NDPS No. 42/2022.

In the matter of : Basiruddin Mondal & Anr.

...petitioners.

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

...for the petitioners.

Ms. Baisali Basu, Adv.

...for the State.

Pursuant to the direction dated 17th of October, 2023, Ms. Baisali Basu, learned Advocate, appears on behalf of the State.

Learned Advocate appearing for the petitioner submits that the petitioner is in custody since 26th of March, 2022. The Investigating Agency initially submitted Charge-sheet on 20th May, 2022 and a supplementary charge-sheet was submitted on 5th of April, 2023. The charges were framed in connection with the instant case on 3rd of August, 2023. It has also been submitted that the next date has been fixed on 18th of December, 2023 and the prosecution has relied upon 11 witnesses to prove its case.

Having considered the fact that the petitioner is in custody for more than one year and eight months and till date none of the witnesses have been examined, I am of the view that the trial of the case should be expedited.

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 of the witnesses is reluctant to appear before the Court, 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.

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 3936 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.)