

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 4188 of 2022

Papan Sarkar & Anr.

-Vs-

The State of West Bengal

For the petitioners: Mr. Sandip Dinda, Adv.,
 Mr. Joy Chakraborty, Adv.

For the State: Mrs. Mousumi Sarkar, Adv.,

Heard on: 15th March, 2023.

Judgment on: 15th March, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of NDPS case no. 18 of 2020 filed by the petitioners/accused persons in custody arising out of Special Task Force (STF) Police Station Case no. 14 of 2020 dated 25th February, 2020 under Section 17(C)/29 of the Narcotics Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned Judge-1, NDPS Act, City Sessions Court, Calcutta.

2. On perusal of the instant application and the materials on record, this court is of the view that the instant application can be disposed of with the assistance of the learned public prosecutor-in-charge on behalf

of the State. Therefore Mrs. Mousumi Sarkar learned advocate is requested to assist this court on behalf of the state. Appointment of Mrs. Mousumi Sarkar be regularized by the learned Legal Remembrancer, Government of West Bengal.

3. It is submitted by the learned advocate for the petitioners that the petitioners were arrested on 25th February, 2020 since then, they are in custody. After completion of investigation Chargesheet was submitted on 19th August, 2020 proposing 9 witnesses to be examined. Charge was framed and several adjournments were taken but till date no witness has been examined. The next date was fixed on 25th November, 2022 for evidence.

4. It is further submitted by the learned Advocates for the petitioners that the prosecution is not at all serious for speedy disposal of the case. Therefore, necessary direction may be issued upon the court below for expeditious disposal.

5. It is needless to say that in respect of “Case Flow Management”, the High Court has issued a notification bearing No.4680 G dated 6th December, 2006. In the said notification NDPS case is listed as Track 1 case and trial court is directed to dispose of NDPS case within nine months from the date of submission of charge-sheet. The learned trial judge failed to take recourse of speedy disposal of the case and thereby violated the High Court notification No.4680 G dated 6th December, 2006.

6. In view of such circumstances, the trial court is directed to positively conclude examination of witnesses within six months from the

date of communication of this order and deliver judgment within one month thereafter.

7. The instant criminal revision is disposed of with the above order on contest.

(Bibek Chaudhuri, J.)