

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 4584 of 2022

Subrata Sikder

-Vs-

The State of West Bengal

For the petitioner: Mr. Gourab Kumar Nath, Adv

For the State: Mrs. Debjani Dasgupta , Adv.,

Heard on: 15th March, 2023.

Judgment on: 15th March, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of N case no. 101 of 2020 filed by the petitioner/accused person in custody arising out of Newtown Police Station Case no. 97 of 2020 dated 27th June, 2020 under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned 6th Additional District Judge, Barasat.

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. Debjani Dasgupta learned advocate is

requested to assist this court on behalf of the state. Appointment of Mr. Debjani Dasgupta be regularized by the learned Legal Remembrancer, Government of West Bengal.

3. It is submitted by the learned advocate for the petitioner that the petitioner was arrested on 27th June, 2020 on the allegation of committing offence under section 21(C) of the N.D.P.S. Act. Since then, he is in custody. After completion of investigation Chargesheet was submitted after two months from the date of FIR being no. 157/20. Thereafter Charge was framed on 9th February, 2021 under Section 21(C) of the N.D.P.S. Act proposing 7 witnesses fixing 30th June, 2021 and 1st July, 2021 for evidence of the complainant and G.O. Several dates were fixed for production and evidence but till date not a single witness has been examined. The next date was fixed for production and evidence on 17th January, 2023 to 19th January, 2023.

4. It is further submitted by the learned Advocates for the petitioner 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 thus disposed of with the above direction

(Bibek Chaudhuri, J.)