

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 4587 of 2022

Balai Malakar

-Vs-

The State of West Bengal

For the petitioner: Mr. Gourab Kumar Nath, Adv

For the State: Mrs. Sayanti Santra, 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. 29 of 2020 filed by the petitioner/accused person in custody arising out of Gobardanga Police Station Case no. 12 of 2020 dated 26th January, 2020 under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned 6th Additional Session 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. Sayanti Santra learned advocate is requested

to assist this court on behalf of the state. Appointment of Mrs. Sayanti Santra 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 26th January, 2020 since then, he is in custody. After completion of investigation Chargesheet was submitted on 24th March, 2020 and supplementary chargesheet with chemical report on 16th November, 2020. Charge was framed on 1st December, 2021 under Section 21(C) of the NDPS Act total 9 witnesses to be examined and fixing 21st March, 2022 for production and evidence. Out of 9 witness only 1 witness has been examined and next date was fixed on 19th December, 2022 and 20th December, 2022.

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 disposed of with the above order on contest.

(Bibek Chaudhuri, J.)