

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 4662 of 2022

Jalaluddin Ahammed @ Jalaludiin Ahmed
-Vs-
The State of West Bengal

For the petitioner: Mr. Diptangshu Basu, Adv.,
 Ms. Sinaj Khatun, Adv.

For the State: Mr. Suman Dey, Adv.,

Heard on: 4th April, 2023.

Judgment on: 4th April, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of NDPS case no. 49 of 2009 filed by the petitioner/accused person arising out of Berhampore Police Station Case no. 628 of 2009 dated 5th September, 2009 under Section 20/29 of the Narcotics Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned Judge, Special Court, NDPS Act, Murshidabad.

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 Mr. Suman Dey learned advocate is requested to assist this court on behalf of the state. Appointment of Mr. Suman Dey 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 6th September, 2009 and was enlarged on bail on 21st October, 2009. After completion of investigation Charge was framed on 10th February, 2011 under Section 20(b)(c) of the NDPS Act fixing 16.05.2011 to 21.05.2011 for evidence. Out of 13 charge sheeted witness only 4 has been examined till date. Next date was fixed on 28th February, 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.)