

IN THE HIGH COURT AT CALCUTTA
CRIMINAL REVISIONAL JURISDICTION
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

CRR 4669 of 2022

Md. Kalim

-Vs-

The State of West Bengal

For the petitioner: Mr. Arunava Ganguly, Adv

For the State: Mr. Arif Ekbal Mollah, Adv.,

Heard on: 16th January, 2023.

Judgment on: 16th January, 2023.

BIBEK CHAUDHURI, J. : –

1. This is an application for expeditious disposal of N case no. 34 of 2020 filed by the petitioner/accused person in custody arising out of Bhadreswar Police Station Case no. 154 of 2020 dated 25th June, 2020 under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984 presently pending before the Learned Additional Sessions Judge cum Judge Special Court, Hooghly.

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. Arif Ekbal Mollah learned advocate is

requested to assist this court on behalf of the state. Appointment of Mr. Arif Ekbal Mollah 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 25th June, 2020 on the allegation of committing offence under Section 21(C) of the Narcotics Drugs and Psychotropic Substances Act, 1984. Since then, he is in custody. After completion of investigation charge was framed on 27th August, 2021 after several adjournments and next date has been fixed on 11th November, 2021 for production and evidence. Only 2 witnesses have been examined and the learned trial court is giving unnecessary adjournments. The next date was fixed on 19th November, 2022 for production and evidence.

4. It is further submitted by the learned Advocate 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

8. The learned Advocate for the petitioner is at liberty to communicate this order to the trial court and the trial court is directed to act upon the server copy of the order.

(Bibek Chaudhuri, J.)