

D/L333
12.12.2023
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C.R.R.4695 of 2023

In Re: An application under Section 483 read with Section 482 of the
Code of Criminal Procedure, 1973;

Abhijit Sarkar
Versus
The State of West Bengal

Mr. Amit Roy.
...for the petitioner.

Mr. Anwar Hossain.
...for the State.

Petitioner is directed to serve a copy of the revisional application upon Mr. Anwar Hossain, learned advocate, who ordinarily appears on behalf of the State. His appearance may be regularised by the concerned authorities.

Learned advocate appearing for the petitioner submits that Islampur Police Station Case No.676 of 2022 dated 28.09.2022 was registered for investigation under the relevant provisions of NDPS Act. The Investigation Agency on conclusion of investigation has submitted charge-sheet. However, till date the charges have not been framed and the prosecution in order to prove its case relied upon 19 witnesses.

Having regard to the number of witnesses proposed to be examined in the present case, I direct the learned special court in seisin of Islampur Police Station Case No.676 of 2022 to consider the charges on the next date so fixed or at least within a month thereafter. If after consideration of charges the learned special court is of the opinion that the trial should be proceeded, in that case the

learned special court would fix a schedule consisting of three dates and fix such schedule once in every 45 days so that the trial of the case can be taken to its logical conclusion within a very reasonable period of time.

No unnecessary adjournment should be granted to either of the parties. In case any witness is not cooperating with the learned trial court and is reluctant to appear, learned special court would be at liberty to communicate with the Superintendent of Police of the concerned district who would take steps for ensuring the presence of the witnesses. The public prosecutor conducting the case would ensure regarding the production of the materials, exhibits and documents available on the dates so fixed for examination of the witnesses. All stakeholders would co-operate with the learned trial court so that the trial is concluded at the earliest.

With the aforesaid observations, CRR 4695 of 2023 is disposed of.

Pending connected application, if any, is consequently disposed of.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)

