

15.03.2024
Serial no. 7
[G.S.D]

CRR 4129 of 2023

In the matter of : Mehendi Hasan @ Mahaldar @ Mehedi Hasan & Anr.

... .. Petitioners

Mr. Arnab Chatterjee
Mr. Anisur Rahaman
Ms. Dhanasree Biswas
Ms. Poulami Bose

... for the petitioners

Ms. Manisha Sharma

... for the State

The petitioners are aggrieved by the fact that he has been detained in connection with Suti P.S. Case No. 221 of 2020 dt. 30th May, 2020 under the relevant provisions of the NDPS Act.

Ld. Advocate for the petitioner submits that more than three and half years have passed but out of the 18 witnesses so cited by the prosecution till date only four witnesses have been examined and the next schedule has been fixed on 8th of April, 2024.

Having considered the period of detention of the present petitioners without any substantive progress in the trial, I direct the Id. Trial Court to fix a schedule consisting of four dates and fix such schedule once in a month so that the

trial of the case can be taken to its logical conclusion within a reasonable period of time.

The Superintendent of Police of the concerned district would on any communication received from the court take all efforts in production of the witnesses on the date so fixed.

In case, any witness is not available, a report should be immediately sent to the court regarding the reasons for non availability and there must be reason which is beyond the control of the witness to appear.

The Id. Trial court will not accept any lame excuse and proceed with the trial of the case.

Ld. Public prosecutor conducting the case would produce the materials, exhibits and documents on the date so fixed for examination of the witnesses concerned. All efforts be taken by the stakeholders to conclude the trial at the earliest keeping in mind that custodial trial is proceeding for more than three and half years.

With the aforesaid observations, CRR 4129 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

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

(Tirthankar Ghosh, J.)