

AD 119
May 6, 2025
Ct. 28
SG

CRR 1599 of 2025

In the matter of:

Amirul Mondal @ Nazrul Mondal and another
... petitioners

Mr. Sourav Mondal
Mr. Rony Mondal
Mr. Archan Roy
Mr. Arijit Bhuiya

... for the petitioners.

Mr. Rudradipta Nandy
Ms. Madhumita Basak

... for the State

Learned counsel appearing for the petitioners submits that this is an application for quashing of proceeding under provisions of the NDPS Act. The trial is going on. No prima facie case is made out against the present petitioners as the seizure lists do not contain their signatures and there are two different times given in the seizure lists.

Learned counsel for the State strongly opposes the prayer for quashing and submits that a prima facie case is made out. Alleged contraband was seized from the petitioners. Seizure list need not always contain signature of the accused, especially when they refuse to sign the same. The second seizure was made a little after the first seizure. Trial is going on. Three witnesses have already been examined out of a total of six.

It appears from a perusal of the evidence of witnesses adduced during trial and the materials contained in the case

diary that a prima facie case is made out against the present petitioners.

Moreover, three witnesses have already been examined out of total six witnesses and the trial is continuing.

It is too late a stage to interfere with the trial.

I do not find any reason even on merits to interfere with the proceeding at this stage.

The prayer for quashing is, thus, rejected.

Learned trial court shall expedite the proceeding and conclude the proceeding by fixing shorter dates and without granting unnecessary adjournment to any of the parties.

However, it shall be open to the petitioners to agitate their points before the learned trial court.

Accordingly, the revisional application is disposed of.

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

Learned Advocate on Record shall be at liberty to communicate a gist of this order to the learned trial court.

(Jay Sengupta, J.)