

In the Court of Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat.

NDPS Case No. 57 of 2023 (CIS No. 57/23), CNR Number : WBDD01-001969-2023

Present: Shri. Nachiketa Bera, in-charge of Special Judge (under NDPS ACT)-cum-Additional District & Sessions Judge 3rd Court, Dakshin Dinajpur at Balurghat. (JO Code : WB00853)

Order No. 16

19-02-2024

One petition has been filed by the IO praying for extension of time for investigation beyond the statutory period of 180 days on the ground stated therein.

Ld. P.P. in-charge also files one petition praying for extension of period of investigation as permissible under section 36A(4) NDPS Act on the ground stated therein.

The case record is put up today. Copy of the said petition has been served upon the Ld. Advocate for the accused.

Heard both sides. Perused the CD.

It is submitted by the P.P. in-charge that in this case large quantity of contraband was recovered and sample has already been dispatched for expert opinion but no report yet been received. It is further submitted that other accused persons are avoiding police arrest. Ld. P.P. in-charge further submits that as per section 36A(4) of NDPS Act this when the investigation is not completed within 180 days, the Court is sufficiently empowered to extend the period of investigation beyond the statutory period 180 days upto one year on the report of the public prosecutor indicating the progress of the investigation and specific reasons for detention of the accused beyond of period of 180 days.

Ld. Advocate for the accused raises objection regarding the prayer for extension of time for investigation statutory period of investigation.

Perused the case record.

On perusal I find that this Court vide order dated 18.01.2024 already extended period of investigation as well as the period of detention of the accused person beyond the period of 180 days by one month as per the prayer of the prosecution as well as the IO.

Considering the CD and material on record, I find that the investigation of this case is continuing and there is satisfactory progress in investigation as appearing from the CD. Accordingly I find no legal impediment in allowing the prayer of the IO for extending the period of investigation beyond the statutory period of 180 days. Accordingly the IO is afforded a further period of one month from 21.02.2021 to submit report in final form as prayed for by him.

Hence, it is

Ordered

the prayer of the IO for extension of period of investigation is allowed for a further period of one month from 21.02.2024.

To date **27.02.2024** for production of the accused persons.

To 22.03.2024 for submitting report in final form.

Let a copy of this order be sent to the IO of this case for his information.

Dict & Corr by

**Special Judge (under NDPS ACT)-
cum-ADJ, 3rd Court,
Balurghat,Dakshin Dinajpur.**

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cum-ADJ, 3rd Court,
Balurghat,Dakshin Dinajpur.**