

Sessions case No. 22 of 2025
R-22 of 2025
Present : Sri Madan Mohan Mishra
JO No.WB00727

Order No. 05 dated 16.09.2025

Accused on bail Rohan Gurung is found unrepresented without step.

Prosecution is also found unrepresented without step.

On repeated calls none appears to represent accused or prosecution.

It is now 12.25 PM.

Materials on record suggest that accused Rohan Gurung was apprehended by police officer being found in possession of 8 bottles of Phencyrex cough syrup of 100 ml. On 20.05.2017 and the case under section 27(b)(ii) of Drugs and Cosmetics Act was started against the accused. Charge-sheet for offence punishable u/s 27(b)(ii) of Drugs and Cosmetics Act, 1940 has been submitted against the accused on 31.03.2020 by the police officer and the cognizance for the offence punishable u/s 27(b)(ii) of Drugs and Cosmetics Act, 1940 has been taken by learned CJM, Darjeeling. After supplying copies to accused under section 207 CrPC on 24.06.2025 learned CJM, Darjeeling on finding that offence for which charge-sheet has been submitted and cognizance has been taken is exclusively triable by the Court of Sessions committed the case u/s 209 CrPC to the Court of learned Sessions Judge, Darjeeling. Ld. Sessions Judge, Darjeeling referring to the notification No. 1650-JL the 30th day of July, 2025 of Government of West Bengal, Judicial Department in concurrence with the Notification of Hon'ble High Court, Calcutta vide Memo No. 4811-RG dated 09.07.2025 by which this Court has been designated as Special Court under NDPS Act, transferred the case to this Court being a Special Court, under NDPS Act while the cognizance for offence punishable under NDPS Act is yet to be taken.

In view of the resolution of local bar association by which the learned members of the local bar have resolved not to attend the Court proceeding for indefinite period when both accused and prosecution are found unrepresented, the case is adjourned for ends of justice till 15.11.2025.

To 15.11.2025 for appearance of accused.

Accused on bail as before.

Dictated and corrected by me

Sd/-
Additional Sessions Judge,
3rd Court, Darjeeling

Sd/-
Additional Sessions Judge,
3rd Court, Darjeeling