

ITEM NO.9

COURT NO.4

SECTION II-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CRIMINAL) .....Diary No(s).10314/2024

(Arising out of impugned final judgment and order dated 03-10-2023 in CRM (NDPS) No.1606/2023 passed by the High Court at Calcutta)

RUBEL MONDAL

Petitioner(s)

VERSUS

THE STATE OF WEST BENGAL

Respondent(s)

(IA No.74628/2024-CONDONATION OF DELAY IN FILING and IA No.74627/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 03-04-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) Mr. Rakesh Kumar Singh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

1. Delay condoned.
2. The petitioner seeks enlargement on regular bail in FIR No.276/2022, under Sections 20(b)(ii)(c)/29 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (for short, `NDPS Act'), registered at P.S. Jalangi, District Murshidabad, West Bengal.
3. As per the allegations, PSI-Arup Malekar received a credible information about a large quantity of ganja being transported through a white Apache bike. The police apprehended the petitioner who was riding the said bike and seized bags containing 24.47 kgs of ganja. The petitioner was arrested at the spot. The chargesheet has been filed. According to learned counsel for the petitioner, the trial is yet to commence. The High Court has declined bail to the petitioner in light of the statutory embargo created under Section 37 of the NDPS Act.

4. Having regard to the fact that the trial can be concluded in a time-bound manner, we are not inclined to entertain the petitioner's prayer to release him on bail at this stage. The instant Special Leave Petition is disposed of accordingly with a direction to the learned Judge (Special Court), NDPS, Berhampur, Murshidabad, before whom the trial is pending, to fix a schedule with an endeavour to conclude the trial within six months. The prosecution is directed to extend full cooperation to the learned Judge (Special Court), especially in the matter of production of witnesses and other evidence like FSL Report etc. In case the trial is not concluded within six months for some unforeseen reasons, we grant liberty to the petitioner to revive his prayer for bail before the Trial Court.

5. As a sequel to the above, the pending interlocutory application also stands disposed of.

(SATISH KUMAR YADAV)  
ADDITIONAL REGISTRAR

(PREETHI T.C.)  
COURT MASTER (NSH)