

For: 13.11.2024
Court-3
Item No.:-
301.10, 301.15,
301.27

SECTION-II B
IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 3850 OF 2023
WITH

IA No.60330/2023-Exemption from filing C/C of the impugned
Judgment/Order

JAGDISH SINGH		...PETITIONER
	VERSUS	
THE STATE OF WEST BENGAL		...RESPONDENT

PETITION FOR SPECIAL LEAVE TO APPEAL(CRL.) NOS.6865-66 OF
2023
WITH

IA No.105482/2023-Exemption from filing C/C of the impugned
Judgment/Order

TAPAN BARMAN AND ORS.		...PETITIONERS
	VERSUS	
THE STATE OF WEST BENGAL		...RESPONDENT

AND
PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NOS. 11192 OF 2024
WITH

IA No.183815/2024-Exemption from filing C/C of the impugned
Judgment/Order

JAGDISH SINGH		...PETITIONER
	VERSUS	
THE STATE OF WEST BENGAL		...RESPONDENT

OFFICE REPORT

The matters above mentioned along with connected matters were listed before the Hon'ble Court on 18.07.2024, when the Hon'ble Court was pleased to pass inter alia the following order:

“1. In this batch of cases, the primary issue that arises for consideration is as to whether a chargesheet without the FSL/Examiner's Report in a NDPS case can be termed as an 'incomplete Report' under Section 173 Cr.P.C.

2. During the course of hearing, it so transpired that various other questions of paramount public importance, with regard to the

fairness and efficacy of the trials under the NDPS Act, also need to be resolved. Some of these issues have also been formulated by one of the learned counsel for the petitioners.

3. One such issue pertains to the establishment of adequate FSL/Examiner_Laboratories by the State Governments along with appointment of requisite technical staff to operate such laboratories. It seems to us that issues such as the current status of the FSL/Examiner's Laboratories, creation of a robust mechanism for submission of the FSL/Examiner's Reports within the stipulated period and the issue pertaining to follow up action taken by the States in compliance of the directions issued by this Court in Union of India vs. Mohan Lal & Anr., (2016) 3 SCC 379, etc. would require indepth consideration by us. Consequently, we propose to hear all the States and the Union Territories before any effective directions are issued.

4. We, therefore, direct the Registry to issue notices to the Union of India, all the States and the Union Territories, returnable on 29.08.2024.

5. Notices re: prayer for interim bail be also issued, returnable on 29.08.2024.

6. The Union of India may be served through the Central Agency.

7. Liberty is granted to the petitioners to serve the States/Union Territories through their standing counsels as well.

8. The orders granting interim bail to the petitioners shall continue to operate until further orders.

9. Post these matters for hearing on 29.08.2024.

10. To be taken up at 3.00 p.m.."

It is submitted that in view of order quoted above common Show cause notice returnable was issued to the Union of India, all the States and the Union Territories in connected main matter i.e. SLP(Crl.) No. 8164-8166 of 2021 by Speed Post.

Service position of the above mentioned matters are as under:

SLP(crl.) Nos.	No. of Respondents	Service Position	Remarks
3850/2023	1	No one has entered appearance on behalf of Respondent though served with notice through track report	Service of Show cause notice is complete in respect of sole respondent/State of West Bengal.
6865-6866/2023	1	Represented through Ms. Astha Sharma, Advocate	Service of Show cause notice is complete in respect of sole respondent.
11192/2024	1	Being a fresh adjourned matter	

It is further submitted that Ms. Tulika Mukherjee, Advocate has e-filed vakalatnama on behalf of State of Jharkhand in SLP (Crl) Nos. 3850 & 6865-6866 of 2023.

The matters along with applications above mentioned are listed before the Hon'ble Court with this office report.

Dated this the 12th day of November, 2024.

ASSISTANT REGISTRAR

COPY TO:

1. Ms, Ankita Chaudhary Advocate
2. Ms. Megha Karnma, Advocate
3. Ms. Ashima Mandla, Advocate
4. Ms. Astha Sharma, Advocate
5. Ms. Tulika Mukherjee, Advocate

ASSISTANT REGISTRAR