

20.03.2023  
Sl. No.11  
**akd**  
[Rejected]

**C. R. M. (NDPS) 413 of 2023**

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed on 13.03.2023 in connection with S.T.F. Police Station Case No.29 of 2019 dated 09.08.2019 under Sections 21(c)/29 of the NDPS Act. (NDPS Case No.31 of 2019)

And

In Re: **Deepu Singh**

... .. Petitioner

Mr. Soubhik Mitter  
Mr. Joy Chakraborty  
Mr. Sandip Dinda

... .. for the petitioner

Mr. T. D. Nandy  
Mr. Antarikhya Basu

... .. for the State

It is submitted on behalf of the petitioner that he is in custody for more than three years. It is further submitted there is inordinate delay in trial.

Learned Advocate for the State opposes the prayer for bail and submits petitioner has resorted to dilatory tactics and sought adjournment of cross-examination of prosecution witnesses.

We have considered the materials on record. Charge was framed in March, 2022. Thereafter, one prosecution witness was examined in chief. At this stage, an application was made for adjournment of cross-examination of prosecution witnesses. Adjournment of cross-examination of prosecution witnesses ought not to be granted liberally. It impacts the progress of trial and casts onerous duty on a witness to be present on a subsequent date for the purpose of cross-examination.

In the factual matrix, we do not find any substance in such prayer and we direct the trial court to proceed with the trial with utmost

expedition and ensure that the examination of prosecution witnesses is completed preferably on the day on which the witness appear and if it is not possible positively within 2/3 days thereafter.

There are ample materials to show petitioner was involved in interstate trafficking of narcotics above commercial quantity. Under such circumstances and in view of the statutory restrictions under Section 37 of the NDPS Act, we are not inclined to grant bail to the petitioner.

The application for bail is thus rejected.

We direct the trial court to conduct the trial with utmost expedition and in the manner as indicated above and conclude the same at an early date preferably within one year from the next date fixed for recording evidence without granting unnecessary adjournment to either of the parties.

**(Ajay Kumar Gupta, J.)**

**(Joymalya Bagchi, J.)**