

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No.M-25822 of 2015
Date of Decision:06.08.2015

Satinderpal Singh @ Satinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

1. *Whether Reporters of the local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the digest?*

Present: Mr. Karanjit Singh, Advocate
for the petitioner.

R.P. Nagrath, J.

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.242 dated 23.10.2014 under Sections 411, 414, 188 IPC, Sections 21, 22, 61 of Narcotic Drugs and Psychotropic Substances Act, Section 25 of Arms Act and Section 3 of Indian Passport Act, Police Station Gharinda, District Amritsar Rural.

Learned counsel for the petitioner submits that the FIR was registered on the letter sent by Company Commandant of BSF to the effect that some movement was noticed at Indo-Pak border by BSF personnel. It is stated in the FIR that those persons had thrown consignment of the contraband on seeing BSF party and fled away

by taking advantage of darkness and paddy fields. Four Indian smugglers were seen running towards Indian side. One of them who was little behind the others, was seen falling on the ground while running but would again start running. With great effort that Indian national was apprehended approximately 200 yards behind the fields. That person was Narinder Singh on whose face there were scratches/wounds due to fall. That Narinder Singh was a gunner in 9 Para Field Regt. of Indian Army and is deserter since the year 2012. On his search, one small folder knife, one spare battery of mobile and one Nokia mobile with Pakistani SIM was found.

Learned counsel for the petitioner contends that name of petitioner figured during interrogation of Narinder Singh which is inadmissible against the petitioner.

I find that the matter is very sensitive and relates to cross-border smuggling. The investigation on such matters should not be hampered by any kind of interim concession. The investigating agency must have free hand to crack the gang by effective interrogation.

No ground for pre-arrest bail.

Dismissed.

06.08.2015
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(R.P. Nagrath)
Judge