

CRM-M-23078 of 2022

[1]

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-23078 of 2022

Date of Decision: 25th May, 2022

Amandeep Singh Smagh

... Petitioner

Versus

Narcotic Control Bureau through its Zonal Director

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. G. S. Sandhu, Advocate for the petitioner.

AVNEESH JHINGAN , J.(Oral)

This is a petition seeking blanket anticipatory bail for the petitioner and issuing directions to the respondent to give ten days notice to the petitioner under Section 41A Cr.P.C.

The brief facts are that the petitioner is engaged in the business of import and export in the name and style of Smagh Trading Company registered at Chabbewal, village Jeyan, Hoshiarpur. As per the pleadings, a consignment in a container arrived from Afghanistan suspected to be carrying liquorices plant (Mulathi). The consignment was in the name of the firm of the petitioner.

The petitioner has an apprehension of being involved in a false case, hence seeks blanket anticipatory bail.

The Additional Sessions Judge specifically recorded that as on date, there is no complaint or FIR in which the petitioner has been nominated.

The Supreme Court in Sushila Aggarwal v. State (NCT of Delhi, 2020 (5) SCC 1 has deprecated the practice of granting blanket orders of bail/anticipatory bail.

The prayer is made for blanket anticipatory bail. In reply filed by Narcotic Control Bureau before District Judge, it was mentioned “*NCB received information on 6.5.2022 that on order of petitioner company one consignment of Mulathi (liquorices) has arrived at CFS, Speedy Multi Modes owned by JNPT Nhava Sheva at Navi Mumbai and stationed there since 26.6.2021..... A clarification was sought from the petitioner but he failed to join investigation. Jute bags have been sent to CRCL for its chemical analysis and report is still awaited).*”

No ground is made out for grant of blanket anticipatory bail.

The petition is dismissed.

(AVNEESH JHINGAN)

JUDGE

25th May, 2022

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Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No