

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

(101)

CRM-M-12371-2023

Date of decision : 16.03.2023

Gurlal Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Pankaj Katia, Advocate
for the petitioner.

Mr. Rohit Bansal, Senior Deputy Advocate General, Punjab.

...

SUVIR SEHGAL, J. (Oral)

This is the 4th attempt by the petitioner, who seeks anticipatory bail in case FIR No.40 dated 12.03.2020, registered for offences under Sections 21, 22, 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985, Section 3 of the Indian Passports Act, 1920 and under Section 14 of the Foreigners Act, 1946, at Police Station Lopoke, District Amritsar Rural.

Previous three petitions filed by the petitioner were declined by this Court vide orders dated 17.07.2020, 25.11.2020 and 06.04.2021, Annexures P-2 to P-4, respectively. Petitioner has not disclosed that he had unsuccessfully approached the Supreme Court and filed a Special Leave to Appeal (Crl.) bearing No.1099/2021, which was dismissed on 23.02.2021.

Allegation against the petitioner is that he is involved in cross-border smuggling and is in contact with smugglers from Pakistan. The modus operandi of the illegal operation has been described in the status report submitted before this Court and has been noticed by this Court in its order, Annexure P-3. Petitioner is alleged to be the kingpin. On the basis of disclosure statement of a co-accused, 8 packets of heroin weighing 10 kg have been recovered from an agricultural field near the International Border fence in the presence of BSF officials. Rigor of Section 37 of the Act is attracted. Custodial interrogation of the petitioner is necessary to determine the source and destination of the contraband. Despite that fact that FIR has been registered in March, 2020, petitioner has been successful in evading the process of law and has been repeatedly approaching this Court. Prayer for anticipatory bail in this background cannot be entertained.

Petition is dismissed.

(SUVIR SEHGAL)
JUDGE

16.03.2023
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes