

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.101

CRM-M-23843-2023 (O&M)

Date of decision : 11.05.2023

Sukhdeep Singh

..... Petitioner

VERSUS

Intelligence Officer, Directorate of Revenue Intelligence Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. S.C. Bhola, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in complaint No.COMA-8939-2016 dated 29.08.2016, filed under Sections 132 & 135 of the Customs Act, 1962. Anticipatory bail has been sought because the offences aforementioned are non-bailable.

According to the contents of the complaint, an attempt was made to smuggle large quantity of Red Sanders Woods and Potash. The said items are on the prohibited list and cannot be exported. For the purpose of export, a complex network was created through which containers were booked and transported for shipping abroad. The items sought to be smuggled were concealed by various means such as paper and straw. Non-existent firms were created for facilitating the offence. The said firms communicated through fake websites and the petitioner has been stated to be one of the master minds.

Learned counsel for the petitioner submits that no recovery is to be effected and the evidence is documentary in nature. The same is already available with the investigating agency, accordingly, custody of the

The submission is not entitled to be accepted. A serious offence has been committed which is against the commercial interest of the country. An attempt has been made to smuggle 11,370 kgs. of Red Sanders Wood and 54,160 kgs. of Muriate Potash, in three containers, the documents whereof declared the cargo to be plain paper cut-sheet and nuts & bolts of Non-Alloy Steel. The petitioner is stated to have played an active role in the entire matter and it has been so stated on the basis of evidence collected during the course of investigation. Moreover, there is one other case of similar nature pending against the petitioner. Taking all these aspects into consideration, the petitioner does not deserve any relief.

The petition is, accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

11.05.2023
Ramandeep Singh

Whether speaking / reasoned

Yes

Whether Reportable

No