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# Race claim in £1m smuggling court challenge

## MAN CLAIMED JURORS MADE 'JIBES'

by **NATALIE CAMBROOK**

**A MAN from Esher involved in a £1m cigarette smuggling ring failed in his challenge to his conviction at London's Criminal Court of Appeal last Friday.**

Naripdeep Bajwa, 51, of Clare Hill, claimed that the jury at his trial at Manchester Crown Court in June last year was corrupted by racism.

He was jailed for four years alongside fellow gang member Bajinder Singh Sohi, of Maidenhead, Berkshire, for smuggling seven million counterfeit Benson and Hedges cigarettes into Felixstowe from China in September 2004.

Two other men were jailed for three-and-a-half years.

Last Friday, lawyers for Bajwa and Sohi claimed that

the jury should have been discharged after claims by Bajwa that he heard two jurors making racist jibes about him during an adjournment.

The court heard that Bajwa had complained to the judge at the trial, who then interrogated the two men and gave the whole jury a careful direction on treating the defendants fairly.

Lawyers argued that the judge should have discharged the jury and his failure to do so resulted in an unfair trial.

But Lord Justice Leveson dismissed both their applications for permission to appeal against their convictions, saying: "The

judge was careful to address the question to the jurors in an entirely neutral manner. The fact that it was the defendant who had made the complaint was simply not articulated. We are not saying that there will not be

circumstances where it would be right to dismiss one or more jurors but if the mere making of such an allegation must inevitably lead to the dismissal of a jury the prospects of ever concluding

**'The judge was careful to address the question to the jurors in an entirely neutral manner'**

a trial where the jurors come into contact with defendants or their followers outside court would be very remote."

The two other members of the gang also challenged their sentences and failed.