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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **BAIL APPLN. 2299/2016**

INDERJEET

..... Petitioner

Represented by: Mr. R.S. Juneja, Adv.

versus

STATE OF DELHI

..... Respondent

Represented by: Mr. Amit Ahlawat with SI
Amit Verma, PS Gokalpuri.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

10.11.2016

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CrI.M.A. 17526/2016

Exemption allowed, subject to all just exceptions.

Bail Appln. No.2299/2016

By this petition, the petitioner seeks anticipatory bail in case FIR No.556/2016 under Sections 33/58 Delhi Excise Act, 2009 registered at PS Gokul Puri.

Learned counsel for the petitioner contents that the alleged recovery was made from the innova vehicle which was neither being driven by the petitioner nor was the petitioner owner thereof. Further the recovery from the godown was not attributed to the petitioner for the reason the godown had been let out by the petitioner and was on rent.

Learned APP for the State who accepts notice has taken me through the contents of the FIR. As per the FIR, on an information received that at about 6.00 AM illicit liquor was being brought from Haryana in innova car bearing No. HR-38P-0929 and there was lot of illicit liquor also lying in a

godown. The raiding party posted itself near Tyre Market Gokal Pur Village when an innova car bearing No.HR-38P-0929 came at 6.25 PM. The vehicle was stopped however the driver took away the vehicle and the same was followed. On the vehicle stopped in front of a house and the man went inside the godown and two people started unloading the liquor from the innova car, the accused were apprehended and as many as 45 boxes each containing 50 plastic bottles of 180 ml Masaledar liquor were found in innova car wherein sale in Haryana only was written. Further 22 boxes with the same endorsement were found in the godown.

During investigation, the godown was found to be owned by the petitioner. Though the petitioner claims that the godown was on rent however no rent deed has been shown either in investigation or before this Court. Further the petitioner is earlier also involved in two cases.

Considering the facts stated above, this Court finds no reason to grant anticipatory bail to the petitioner.

Petition is dismissed.

MUKTA GUPTA, J.

NOVEMBER 10, 2016
‘v mittal’