

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-19435-2015

Date of decision: August 31, 2015

Pikan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Inder Pal Singh, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J.

This is a petition under Section 438 Cr.P.C. seeking pre-arrest bail in a case registered against the petitioner under Sections 420, 467, 468, 471, 120-B IPC at Police Station Julkan, District Patiala, vide FIR No.173 dated 30.12.2014.

Learned counsel for the petitioner submits that petitioner has nothing to do with the alleged offences and he has been implicated falsely in the present case. He submits that petitioner is neither named in the FIR nor any recovery of liquor has been effected from him. Thus, petitioner deserves concession of pre-arrest bail.

Prayer has been opposed by learned State counsel on the ground that allegations against the petitioner are serious and he does not deserve the concession of pre-arrest bail. She further submits that 1100 cartons of liquor for sale in Chandigarh were recovered from the truck in question. During investigation it was revealed that petitioner had loaded

the liquor from Chandigarh and he had active role in preparing false and fictitious bills.

I have heard learned counsel for the parties and given careful thought to the facts of the case.

It is evident that on 30.12.2014, the police of Police Station Julkan on receipt of a secret information, apprehended a truck being driven by Amit Gill, from which 1100 cartons of liquor were recovered. In the bills, which were taken into possession by the police, it was mentioned that truck was loaded with cattle feed, whereas there was liquor in the said truck. During investigation it revealed that Pikan Punia @ Pikan Kumar loaded his liquor from Chandigarh and he got false and fabricated bills prepared.

Keeping in view nature of allegations, petitioner is not entitled to concession of pre-arrest bail. A huge quantity of liquor has been recovered and it was revealed that the bills were of some fictitious company. A thorough probe is required to unearth the modus operandi adopted by all the accused. So, custodial interrogation of the petitioner may be necessary to take the investigation to its logical end. Petition is without any merit and is hereby dismissed.

August 31, 2015
'Rajpal'

(RAJAN GUPTA)
JUDGE