

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

CRM-M No.20018 of 2015.

Date of Decision: July 23, 2015.

Narinder Singh

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

Mr. Ashish Sanghi, Deputy Advocate General, Punjab.

SNEH PRASHAR, J.

A petition under Section 438 of the Code of Criminal Procedure (in short, "Cr.P.C.") for grant of anticipatory bail was filed by the petitioner in case First Information Report No.68 dated 17.05.2015 under Section 61/1/14 of Excise Act, registered at Police Station Chatiwind, District Amritsar.

The case of the prosecution was that in pursuance of a secret information that the petitioner is habitual of preparing and selling illicit liquor, a raid was conducted at his house in village Saghna Havelian and a working still installed in the house alongwith 3800 litres of Lahan and 5

bottles of illicit liquor and some other equipments used in the process of preparing liquor were recovered. On seeing the police party, the petitioner had managed to flee away from the spot.

Heard the submissions made by Mr. Rahul Bhargava, learned counsel representing the petitioner and Mr. Ashish Sanghi, learned Deputy Advocate General, representing the State of Punjab.

It was submitted on behalf of the petitioner that he had been falsely implicated due to party faction in the village. Learned counsel also submitted that no independent public witness was joined by the police at the time of raiding the house of the petitioner. In any case, recovery has already been effected and nothing remains to be recovered from the petitioner, therefore concession of anticipatory bail be given to him.

Learned Deputy Advocate General submitted that there are number of other similar criminal cases registered against the petitioner as well as against his father.

The petitioner was running a working still in his residential house which must be surrounded by other residential houses in the village. Also huge quantity of Lahan alongwith bottles of illicit liquor prepared from the house. Prima facie, the allegations indicate that he was polluting the entire atmosphere of the society. As such, without going into the merits, there appears no ground for grant of anticipatory bail to the petitioner and his petition is hereby dismissed.

(SNEH PRASHAR)
JUDGE

July 23, 2015
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