

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

CRM-M No.23577 of 2015.

Date of Decision: July 22, 2015.

Pagga Singh

....Petitioner.

VERSUS

State of Punjab

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Vikas Gupta, Advocate for the petitioner.

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.80 dated 27.05.2015 under Section 61/1/14 of the Punjab Excise Act (in short, "the Act") registered at Police Station Gate Hakiman Amritsar, District Amritsar.

The First Information Report accusing the petitioner of being in possession of 140 bottles of 750 ml each of illicit liquor was registered at the instance of Head Constable Hardev Singh of Police Post Angarh, Amritsar. The Head Constable on receipt of a secret information had

conducted a Nakabandi at Puli Ganda Naalha, Angarh. The petitioner and his brother, who were coming on a scooter, seeing the police party ahead, turned back the scooter and tried to flee away but in that process the driver lost control over the scooter and they fell on the road. The lumpish substance wrapped in plastic cans fell on the road. The petitioner and his brother succeeded in escaping but were identified by the head constable and other police officials as they were already known to them and their names were mentioned while lodging the First Information Report.

Heard the submissions made by learned counsel representing the petitioner.

As per prosecution version, the petitioner and his brother were carrying illicit liquor on a scooter when they were intercepted by the police party. Although after they fell down with the scooter and the illicit liquor they were carrying in cans, they managed to flee away but they were identified by the police officials being known to them earlier. There is direct and serious allegations against the petitioner.

In view of facts and circumstances and without going into the merits of the case, in my considered opinion, no case for grant of anticipatory bail to the petitioner is made out and his petition is dismissed.

(SNEH PRASHAR)
JUDGE

July 22, 2015
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