

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-33733 of 2018

Date of Decision: August 07, 2018

Ramesh Singh @ Nacha

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Ashok Kumar Sama, Advocate for the petitioner

Sudhir Mittal, J. (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No. 15 dated 26.05.2018 under Section 61 of the Punjab Excise Act, 1914, registered at Police Station Vairo Ke, District Fazilka.

According to the FIR, on receipt of secret information the present FIR was registered and a raid was conducted, which resulted in recovery of 500 bottles of illicit liquor. The petitioner is specifically named in the FIR.

Learned counsel for the petitioner submits that the petitioner was not apprehended on the spot nor was the recovery effected in the presence of any independent witness. This is a false case and the recovery has been planted. Thus, the petitioner deserves to be granted anticipatory bail.

From the perusal of the order of the Additional Sessions Judge, Fazilka, it appears that the petitioner is an accused in another case under Section 61 of the Punjab Excise Act, 1914. Thus, a valid presumption can be drawn at this stage that the petitioner is involved in the business of distillation and sale of illicit liquor and the allegations made in the FIR are correct. In this view of the matter, I do not deem it appropriate to grant concession of anticipatory bail to the petitioner.

The petition is, accordingly, dismissed.

August 07, 2018

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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No