

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-34019 of 2018
Date of Decision: 06.09.2018

Joginder Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. B.S. Sodhi, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.51 dated 30.05.2018 registered for the offence punishable under Section 61 of Excise Act, at Police Station Kot Ise Khan, District Moga.

Heard.

Learned counsel for the petitioner submits that case against the petitioner has been registered at the instance of wine contractors. Recovery of liquor has already been effected in this case and his custodial interrogation is not required.

Learned State counsel on instructions from HC Satnam Singh submits that the petitioner was identified at the spot. He smuggles the liquor 'for sale in State of Haryana' to Punjab to sell it at cheap rates and cause loss to State Exchequer and also to shatter State Liquor Vending Policy. Recovery in this case is quite heavy and custodial interrogation is required, who is also involved in two more such cases registered against him under

the Excise Act, to smash the gang involved in smuggling of liquor in State of Punjab from other States/Union Territories.

Keeping in view facts as stated by learned State counsel, I am of the opinion that to smash the racket of bringing liquor from other States/Union Territories for sale in State of Punjab at cheap rates to cause loss to State Exchequer, custodial interrogation of the petitioner is required.

This petition has no merit and the same is dismissed.

September 06, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No