

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

CRM-M-40309-2018

Date of Decision:13.09.2018

Binder Singh @ Balwinder Singh

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Ankit Joshi, Advocate
for the petitioner.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for anticipatory bail under the provisions of Section 438 Cr.P.C in case FIR No.64 dated 30.07.2018 registered under Sections 61/1 of the Punjab Excise Act, 1914 at Police Station Kotfatta, District Bathinda.

2. Undisputed facts are that petitioner had the benefit of anticipatory bail on 10.08.2018 by the Sessions Court and it was rejected on 16.8.2018 due to non-cooperation of the petitioner.

3. Today learned counsel for the petitioner submitted that no recovery has been made from the petitioner and no specific role has been attributed to the petitioner in the FIR. Petitioner has been implicated falsely.

4. After consideration of the aforesaid factual aspect, Sessions Court had extended the benefit of bail on 10.08.2018. Having regard to the misuse of the bail, Sessions Court had rejected bail on 16.8.2018.

5. As petitioner fails to join the investigation and cooperate in the matter. He misused the process of law. In view of these facts and circumstances, petitioner has not made out a case for anticipatory bail. Accordingly, petition stands dismissed.

13.09.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No