

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

**CRM-M-41169-2018
Date of Decision:26.09.2018**

Dheeraj Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present : Mr. Navkesh Singh, Advocate
for the petitioner.

Mr. Luvinder Sofat, A.A.G. Punjab.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioner has sought for anticipatory bail under the provision of Section 438 Cr.P.C in case FIR No.0132 dated 28.08.2018 registered under Section 61 of the Punjab Excise Act 1914 at Police Station Sadar Nabha District Patiala.

2. Learned State counsel on instructions from ASI Amrik Singh submitted that petitioner is involved in number of cases including the offence under Section 61 of the Excise Act with reference to FIR No.252 dated 8.8.2017 and FIR No.83 dated 23.01.2017. That apart he is involved for the offence under Essential Commodities Act and so also under Sections 409 and 420 IPC. He is habitual offender as is evident from the records that the present one is the 3rd case under the Excise Act.

3. Learned counsel for the petitioner submitted that in two cases, he has been acquitted and challan has been filed in the present case.

4. Heard learned counsel for the parties.

5. Perusal of the records, it is evident that petitioner is a habitual offender. He has not disclosed the details of pending FIR like FIR No.252 dated 8.8.2017 and FIR No.83 dated 23.01.2017 where he has been

involved for the offence registered under the Excise Act. In other words, he has not approached this Court with clean hand as is evident from paras-4 and para-10 of the petition in not furnishing the details of the pending cases.

6. Having regard to these facts and circumstances, petitioner has not made out case so as to seek the concession of anticipatory bail.

7. Accordingly, petition stands dismissed.

26.09.2018
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**