

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53288 of 2018
DECIDED ON: December 03, 2018

RAKESH KUMAR @ ROCKY

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

Present: Mr. Peeush Gagneja, Advocate,
for the petitioner.

RAMENDRA JAIN, J. (ORAL)

Prayer in the instant petition under Section 438 Cr.P.C. has been made for grant of anticipatory bail to the petitioner, in case, FIR No.125 dated 09.11.2018, registered under Section 61 of the Punjab Excise Act-1 of 1914, Police Station City-2 Abohar, District Fazilka.

According to the prosecution, 83 boxes of country made and English liquor were recovered without any permit or licence from Manoj Kumar and Suraj Kumar, who named the petitioner as one of their companions, causing loss to the state exchequer.

Learned counsel for the petitioner contends that petitioner was not apprehended at the spot. He has falsely been implicated in the instant case only on the basis of disclosure statements of his co-accused, which are a very weak type of evidence. No recovery has to be

effected from the petitioner. He is ready to join the investigation.

Considering the heavy recovery of liquor from the co-accused of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner, inasmuch as, source and complicity of the petitioner in such a huge quantity of illicit liquor has to be ascertained.

Dismissed.

03.12. 2018

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(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No