

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

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Crl. Misc. No.M-11249 of 2019

Date of Decision:- 12.03.2019

Sukhwinder Singh alias Gullu

....Petitioner

vs.

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SUDHIR MITTAL

Present:- Mr. Varinder Basa, Advocate for
Mr. Karanjit Singh, Advocate,
for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.15 dated 31.01.2019 registered at Police Station Mohkamura, District Amritsar, under Section 66 of the Punjab Excise Act, 1914.

The FIR was registered on the basis of secret information. The secret informer informed the police officials that the petitioner deals in selling illicit liquor from his residence and in case a raid is conducted, he can be arrested along with the contraband. Accordingly, a raid was conducted and illicit liquor was recovered. The petitioner was also found at the spot but he managed to escape through roof.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated. The recovery has already been effected and, thus, his custodial interrogation is not necessary. In the other pending cases, he is on bail/investigation is in progress. In two other cases under the Punjab Excise Act, 1914, he has been sentenced to fine only and, therefore, the petitioner is entitled to the concession of anticipatory bail.

From the contentions of the learned counsel for the petitioner, it is apparent that there are other criminal cases also pending/decided against the petitioner. Thus, the petitioner is a habitual offender. Further, he has been specifically named in the secret information and has been spotted at the location of the raid by the police although he managed to escape through the roof. Even though the recovery has been effected, keeping in view the past conduct of the petitioner and the fact that a large quantity of contraband has been recovered from his house, he is not entitled to the concession of anticipatory bail.

The petition has, thus, no merit and is accordingly dismissed.

March 12, 2019**poonam****(SUDHIR MITTAL)****JUDGE****Whether speaking/reasoned****Yes****Whether reportable****No**