

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

(1)

**Crl. Misc. No.M-29704 of 2019 (O&M)
Date of Decision: October 23, 2019**

Harvinder Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

(2)

Crl. Misc. No.M-29935 of 2019 (O&M)

Loven Sharma

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

(3)

Crl. Misc. No.M-41078 of 2019 (O&M)

Ravinder Singh

.....PETITIONER(s).

VERSUS

State of Punjab

....RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Satnam Chauhan, Advocate
for the petitioner (s).

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

This order will dispose of three petitions filed under Section

438 Code of Criminal Procedure for grant of anticipatory bail to the petitioners in case FIR No.69 dated 17.05.2019 registered for the offences punishable under Sections 61 of Punjab Excise Act, 1914 and 120-B, 420, 465, 467, 468, 471 of Indian Penal Code, at Police Station Lalru, District SAS Nagar Mohali.

Heard.

The police registered FIR No. 69 dated 17.05.2019 for the offences punishable under Sections 420, 465, 467, 468, 471, 120-B of Indian Penal Code and 61 of Punjab Excise Act at Police Station Lalru, District SAS Nagar, Mohali on the basis of secret information that in an abandoned factory situated near Lalru Mandi, some persons namely Harvinder Singh Chadha @ Manga Chadha, J.D. and Loven Sharma were carrying on the business of production of illicit liquor. A raid was conducted on which 12000 bottles of liquor and machinery required from distilling liquor was recovered from the spot.

Learned counsel for the petitioners submits that petitioner Ravinder Singh is only a property dealer, who on receiving a call for requirement of property, made reference of another property dealer as he is registered property dealer in State of Haryana. Petitioner Loven Sharma was unemployed youth. He attended a 'Fair' arranged by the State Government to create the jobs for unemployed and was recruited by Harvinder Singh. Harvinder Singh has no connection with the premises and the machinery, where the illicit liquor was being distilled and one vehicle was also recovered.

Learned State counsel submits that on investigation, it found a

big racket being run by the petitioners to distill illicit liquor and supply the same in the State of Punjab and other areas. Against petitioner Harvinder Singh, there are 11 other similar FIRs are pending. During investigation, it was found that Ravinder Singh facilitated the arrangement of premises for distillation of illicit liquor. The factory premises were taken on rent by Harvinder Singh under the name of Harnek Singh. The vehicle on the spot from which 12000 bottles of illicit liquor were recovered, had been purchased by him by giving copy of Aadhaar Card of his son. However, he had not got the vehicle transferred in his name or in the name of his son. Lakhwinder Singh is the signatory of the rent note. Police required custodial interrogation of all these persons to crack the racket of running factory for distilling illicit liquor for causing loss to the State Exchequer and harm to the general public at large.

It is a case where 12000 bottles of illicit liquor along with machinery installed in a factory premises for illicit distillation were recovered. During investigation, involvement of all the petitioners in the offence has been found and the case requires thorough investigation to crack the nexus and name of the persons involved in this illicit trade including the members of Govt. machinery, if any. The plea of learned counsel for Loven Sharma cannot be accepted at this stage, as even if, he was employed as a driver, he was not supposed to carry illicit liquor and has avoided to inform the police and other authorities connected with law and order in this regard. Role of petitioner Ravinder has been found to be of a facilitator, who arranged premises for carrying illicit activities and call for further custodial enquiries.

Keeping in view the seriousness of the offence and the evidence collected by the Investigating Officer so far, I find no reason to exercise the discretionary power of this Court to extend the benefit of anticipatory bail to the petitioners.

These petitions have no merits. Dismissed.

October 23, 2019
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***