

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-29919 of 2019
Date of Decision: 01.10.2019

Gagandeep Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, A.A.G. Punjab.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.104 dated 01.07.2019 registered for offences punishable under Sections 61 and 78 of the Punjab Excise Act, 1914, at Police Station Dirba, District Sangrur.

Heard.

As per case of prosecution, the petitioner alongwith two more persons were coming in Swift Car bearing registration no. PB-13-AX-3642, which was signaled to stop in the area of village Rogla near bridge of minor canal. On seeing the police party, driver of the car stopped the car at a distance from the police party and fled away from the spot. On search of the car, 456 bottles of country made liquor, labled as '*Sonfi*', which was for sale in Haryana were recovered. Other occupant of the car, namely, Varinder Singh @ Pappi was arrested.

Learned counsel for the petitioner submits that recovery in this

case has already been effected and custodial interrogation of the petitioner is not required.

Learned State counsel on instructions from ASI Darshan Singh submits that petitioner and other named accused in FIR indulged in smuggling of liquor from neighbouring States to Punjab thereby causing loss to exchequer. The car in which liquor was being transported also belongs to petitioner.

Keeping in view above facts and that the offence committed in this case is not only of transport of country made liquor without licence but of its smuggling from nearby States. A number of cases have been registered in various parts of State of Punjab about smuggling of liquor from nearby States. This not only promote illegal trade in sale of liquor against Government policy but also cause loss to State exchequer. It is a serious offence against State, which calls for thorough investigation to break the nexus and find the real persons involved in this illegal trade.

Keeping in view above facts, I find no reason to exercise discretionary power of this Court to extend the benefit of anticipatory bail to petitioner at this stage.

Dismissed.

October 01, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No