

CRM-M-31448- 2019

Date of decision: July 25, 2019

Pankaj Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**Present:** Mr. Peeush Gangneja, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail in case FIR No.49 dated 26.3.2019 registered under Section 61 of the Excise Act, 1914 registered at Police Station City Hoshiarpur, District Hoshiarpur.

As per the allegations in the FIR, the police party, on suspicion found a truck bearing No.HP-21-A-5047 standing on the roadside because its rear tyre of conductor side was burst. On checking, 980 boxes of liquor were found which were meant for sale in Arunachal Pradesh but were brought to the State of Punjab for selling it on higher rates. Thereafter, the FIR was registered and the recovery was effected.

Counsel for the petitioner submits that during investigation, one co-accused Ram Kishan, owner of the truck, was

arrested, who stated that his son had purchased truck from Pankaj Kumar about two years back and the petitioner was employed as driver of the said truck. It is further submitted that the petitioner had taken the truck for transporting iron material but he had loaded liquor for illegal purpose.

Counsel for the petitioner has further submitted that the petitioner had already sold the truck two years back and is not the owner of the truck.

After hearing counsel for the petitioner and considering the serious allegations and recovery of 980 boxes of liquor, which were not meant for transporting to Punjab and in view of the fact that the petitioner, as per the police investigation, was found to have been driving the truck and had left it on account of burst in the rear tyre, I find no ground to grant the anticipatory bail to the petitioner.

Accordingly, the present petition stands dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

July 25, 2019
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No