

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

(I) CRM-M-62073-2018 (O&M)
Date of Decision:-10.7.2019

Nirmal Singh @ Nimma @ Nayab Singh ... Petitioner

Versus

State of Punjab ... Respondent

(II) CRM-M-64619-2018 (O&M)

Tejinder Singh @ Gagan ... Petitioner

Versus

State of Punjab ... Respondent

(III) CRM-M-205-2019 (O&M)

Mani Gandhi @ Manpreet Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- None for the petitioner in CRM-M-62073-2018.

Mr. Gurpal Singh Sandhu, Advocate,
for the petitioner in CRM-M-64619-2018.

Mr. Munish Raj Chaudhary, Advocate,
for the petitioner in CRM-M-205-2019.

Ms. Amarjit Kaur Khurana, Deputy Advocate General, Punjab.

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the aforesaid three petitions filed on behalf of the petitioners Nirmal Singh @ Nimma @ Nayab Singh; Tejinder Singh @ Gagan and Mani Gandhi @ Manpreet Singh seeking grant of anticipatory bail in respect of a case registered vide FIR No.0135 dated 21.11.2018 at Police Station Tappa Mandi, District Barnala under Sections 473 of Indian Penal Code, 1860 and Section 61 of Punjab Excise Act, 1914.
2. The FIR was lodged on the basis of a secret information received to the effect that Satnam Singh @ Gaggi, Nirmal Singh @ Nima, Mandeep Singh @ Babbu, Mani Gandhi @ Manpreet Singh Mehta, Sewak Singh, Jaspreet Singh @ Jasu, Raman Kumar @ Ravi and Mani Gandhi indulged in sale of liquor by bringing the same from other states and that in case a raid is conducted huge quantity of liquor can be recovered as the same was being transported with the help of a tractor bearing registration No.PB-03-AA-7565 and a grey coloured Dzire car bearing forged registration No.3563.
3. Pursuant to receipt of the aforesaid information, a raid was conducted and the aforesaid tractor trolly, Alto car and one Honda City car were apprehended, which were being driven by Satnam Singh @ Gaggi, Raman and Nirmal Singh, respectively, from which 250 boxes of country made liquor were recovered. While Satnam Singh @ Gaggi and Raman Kumar @ Ravi were arrested at the spot, Nirmal Singh is stated to have fled away.
4. The learned counsel for the petitioners have submitted that the petitioners have falsely been implicated during the period when elections were being

held and that since they were never arrested at the spot, they are entitled to grant of anticipatory bail.

5. Opposing the petitions, the learned State counsel has submitted that the petitioners are habitual offenders and that while there are seven cases against Nirmal Singh; and four cases against Tejinder Singh @ Gagan, the petitioner Mani Gandhi @ Manpreet Singh Mehta involved in two other cases.
6. Having regard to the facts and the antecedents of petitioners and bearing in mind the huge quantity of liquor recovered, this Court does not find any ground for grant of anticipatory bail to the petitioners. The petitions, as such, are dismissed.
7. However, in case the petitioners surrender before the trial Court within a period of one week from today and apply for grant of regular bail, the learned trial Court shall endeavour to dispose of the same expeditiously preferably within a period of two days from filing of such application.

10.7.2019

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No