

Sr.No.104

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

**CRM-M-1708-2020
Date of decision:23.01.2020**

Parwinder Singh

... Petitioner(s)

versus

State of Punjab

... Respondent (s)

Coram: Hon'ble Mr. Justice Jasgurpreet Singh Puri

Present: Mr. Mandeep Kumar Dhot, Advocate
for the petitioner.

Jasgurpreet Singh Puri, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C seeking anticipatory bail to the petitioner in FIR No.270, dated 30.11.2018 registered under Sections 61, 78 of the Punjab Excise Act at Police Station Lehra, District Sangrur.

Learned counsel for the petitioner has argued that in the present case the petitioner has been wrongly involved in the FIR and that he is innocent. He has further argued that the FIR in this case was registered on 30.11.2018 after about one year the petitioner was nominated as an accused and no recovery is to be effected from the petitioner.

I have heard the learned counsel for the petitioner and perused the available record. As per the contents of the FIR, the police party on secret information traced the vehicle on the road of which the front tyre of driver side was damaged and both the windows of the front driver side and glasses also damaged and the front lights and the front glass and the back side glass was also broken. Police had traced the vehicle no. PB-11-CC-

4343, colour white, make verna car. When the dickey of the car was checked from where the boxes of country made liquor make Malta Haryana, were recovered and on counting 15 boxes country made liquor make Malta Haryana were recovered and in each there are 12/12 bottles and on counting 180 bottles of Country made liquor Malta were recovered. After recovery the recovered liquor was contained in one tub and out of the same one quarter as a sample Country made liquor make Malta Haryana weighing 180 ml, was taken and the remaining liquor after measuring 180 bottles taken into 200 litres drum and then it was sealed. Petitioner was not caught on the spot. It appears that after investigation petitioner was nominated thereafter.

It has been brought to the notice of the Court that the petitioner had earlier filed a petition for anticipatory bail vide CRM-M-53484-2019 and petitioner himself withdrew the petition on 20.12.2019. Merely after one month the petitioner has filed a fresh petition for anticipatory bail and the learned counsel for the petitioner has not been able to point out either from the contents of the petition or otherwise that there is any change of circumstance for filing the fresh petition after a period of one month only.

In view of the above, the present petition is dismissed. However, nothing stated hereinabove, shall be construed to be an expression on the merits of the case.

23rd January, 2020
Shivani Kaushik

[JASGURPREET SINGH PURI]
JUDGE

Whether speaking/reasoned *Yes/No*

Whether Reportable *Yes/No*