

CRM-16753-2020 in/and
CRM-M-5194-2020(O&M)
Date of Decision: 22.07.2020

PARAMJIT SINGH

... Petitioner

v/s

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. A.S.Jawandha, Advocate for the petitioner.

Mr. H.S.Nagra, AAG Punjab.

*(The case has been taken up through video conferencing on
account of Covid-19 pandemic)*

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VIVEK PURI, J. (ORAL)

CRM-16753-2020

This is an application under Section 482 C.P.C for preponement
of the date of hearing.

Allowed.

Main case

Briefly, the FIR No.481 dated 23.11.2019 under Section 61 of
the Punjab Excise Act, 1914, Police Station City Barnala, District Barnala
has been registered in pursuance of recovery of 100 boxes (1200 boxes) of
country-made liquor meant for sale in Chandigarh, U.T. from Canter bearing
Registration No. PB-11BY-7770 from the possession of Jasvir Singh @
Happy and Deepak Kumar @ Deepu.

During the course of investigation, an affidavit was recovered
from the Canter which indicated that the vehicle has been purchased by the

petitioner. Furthermore, it has also emerged in the investigation that as per the record of toll plaza at Badbar, the petitioner was escorting the Canter in a Swift car which passed through toll plaza at 7:29 P.M. and the Canter had passed the toll plaza at 7:31 P.M.

It has been contended by learned counsel for the petitioner that recovery has already been effected. The ownership of the vehicle is yet to be ascertained and the petitioner has been sought to be falsely implicated.

On the contrary, learned State counsel has disputed the assertion of the petitioner and has argued that huge quantity of liquor has been recovered from the petitioner and his active involvement in the inter-state smuggling of liquor is also evident on record.

Keeping in view the fact that affidavit indicates the ownership of the petitioner over the Canter, he was escorting the Canter in which liquor was being transported and furthermore, huge quantity of liquor meant for sale in Chandigarh, U.T. was being transported in the State of Punjab, no exceptional circumstances are made out to extend the concession of pre-arrest bail to the petitioner.

Dismissed.

22.07.2020

Janki

(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No