

CRM-M No.5015 of 2020
DATE OF DECISION:05.02.2020

Jaspal @ Pappu

...Petitioner

 $V_S.$

State of Punjab

...Respondent

CORAM:- HON'BLE MR.JUSTICE LALIT BATRA

Present: Mr. Sachin Ohri, Advocate for the petitioner.

LALIT BATRA, J. (Oral)

Present petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner-**Jaspal @ Pappu** in case F.I.R. No.76 dated 17.11.2019 under Section 61 of Punjab Excise Act, 1914 registered at Police Station Dorangla, District Gurdaspur.

Learned counsel for the petitioner *inter alia* contends that the allegations levelled in the FIR are totally concocted, false and frivolous and there is no iota of truth therein. He further submits that alleged recovery of liquor has already been effected and as such custodial interrogation of petitioner is not at all required. He further submits that even though petitioner has no nexus whatsoever with the alleged offence, even then he is ready to join investigation as and when called upon to do so by the Investigating Agency and as such petitioner may be extended concession of pre-arrest bail.

A bare perusal of contents of FIR, after having received secret information that petitioner was indulging in the sale of illicit liquor, raid

was carried out at his residential house but on seeing the Police party, he fled away from the spot. Allegedly on search of house of petitioner, five plastic cans containing illicit liquor were recovered and on measurement it came to 200 bottles of 750 ml. each and as such petitioner has been arrayed as accused in the instant case FIR.

Without commenting anything on the merits of the case, allegedly huge quantity of illicit liquor was recovered from the house of petitioner. In this scenario, custodial interrogation of petitioner is necessitated to know the genesis of offence in question.

In view of above, in case concession of pre-arrest bail is extended to petitioner, it would lead to lawlessness in the society. No extra-ordinary ground has been made out in favour of petitioner for his entitlement of anticipatory bail.

As a sequel to above, instant petition for grant of anticipatory bail moved by the petitioner is dismissed.

(LALIT BATRA)
JUDGE

05.02.2020
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No