

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

**CRM No.22838 of 2020 IN/AND
CRM-M No.11384 of 2020 (O&M)
Decided on: 17.09.2020**

Jagjiwan Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Monty Goyal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

CRM No.22838 of 2020

Prayer in this application is for preponing the date fixed in
the main petition.

Heard.

For the reasons stated in the application, the same is
allowed and the date fixed in the main petition is preponed for today.

CRM-M No.11384 of 2020

Prayer in this petition is for grant of anticipatory bail to the
petitioner under Section 438 of the Code of Criminal Procedure (in
short 'Cr.P.C.') in FIR No.143 dated 20.07.2019, for offence punishable
under Sections 61/1 of the Punjab Excise Act, 1914 registered at Police
Station Dehlon, District Ludhiana.

Counsel for the petitioner has further submitted that as per
the allegations in the FIR, registered on the basis of a secret information

that co-accused namely Sukhwinder Singh @ Shindi and Harmanjeet Singh, are indulged in the sale of illicit liquor by purchasing it from outside Ludhiana or Chandigarh at lower prices, are selling the same on higher prices and they are coming in a car to supply the same. On this, the police way-laid a barrier and arrested the aforesaid two persons along with 23 boxes of country-made liquor meant for sale in Chandigarh. Thereafter on their disclosure, it surfaced that they have stored 149 boxes of country-made liquor in the premises of the present petitioner – Jagjiwan Singh, who had knowledge about their illegal business and he used to take Rs.18,000/- as rent for permitting them to store the liquor.

Counsel for the petitioner has also argued that in fact, the co-accused are the tenants of the petitioner and the petitioner has no concern with them.

In reply, counsel for the State has, however, opposed the prayer for bail on the ground that the business of illicit liquor is going on in the State of Punjab and even recently in a hooch tragedy, more than 100 people have lost their lives.

Counsel for the State has further submitted that the FIR pertains to 20.07.2019 and despite a lapse of one year, the petitioner is avoiding his arrest and is not allowing the police to complete the investigation and submit a challan against him. It is further argued that the recovery of 149 boxes of liquor is a heavy recovery, which was made from the premises of the petitioner and therefore, the custodial interrogation of the petitioner is required.

After hearing the counsel for the parties, considering the

serious allegations against the petitioner, I find no ground to grant the concession of anticipatory bail to the petitioner.

Dismissed.

17.09.2020

(ARVIND SINGH SANGWAN)

JUDGE

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