

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

**CRM-M No.13142 of 2020
Date of Decision:30.06.2020**

AMIT SINGH PARMAR

...Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Ravi Malhotra, Advocate
for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Status report filed by learned State counsel is taken on record.

Through the present petition filed under Section 438 Cr.P.C the petitioner seeks anticipatory bail in FIR No.13 dated 13.02.2020 registered at police station Jodhan, district Ludhiana under Sections 308, 420, 467, 468, 471 and 120-B IPC, Section 61 of the Punjab Excise Act, 1914 and Section 7 of the Essential Commodities Act, 1955.

Learned counsel for the petitioner submitted that a false case has been registered against the petitioner at the behest of his business rivals; the petitioner was not arrested from the spot when the police conducted a raid and made recoveries of spurious liquor bottles; there is nothing with

the prosecution to connect the petitioner with the alleged crime and that recovery, if any, has been effected from the house of one Harpreet Singh with whom the petitioner has no relationship.

A perusal of the affidavit filed on behalf of the State reveals that on 13.02.2020 SI Jasvir Singh received information that in the house of one Harpreet Singh in village Khandoor the petitioner and some other unidentified persons were preparing spurious liquor and then filling the same in empty bottles of scotch whisky. Acting on such information FIR No.13 dated 13.02.2020 was registered under various applicable provisions of the IPC and the Excise Act, 1914 and thereafter Harpreet Singh's house was raided which yielded the following recoveries :-

- i) 21 boxes of filled bottles of 100 Pipers (total 252 filled bottles);
- ii) 3 boxes of filled bottles of Black Label (total 36 filled bottles);
- iii) 1 box of filled bottles of Gold Label (total 12 filled bottles);
- iv) 20 boxes of filled bottles of Chivas Regal (total 240 filled bottles);
- v) 1 box of filled bottles of Teacher (total 12 filled bottles);
- vi) 2 box of filled bottles of Glenlivet (6 bottles each total 12 filled bottles);
- vii) 2 box of filled bottles of 999 Star Whisky (total 24 filled bottles);
- viii) 270 Holograms which were to be pasted on the scotch liquor bottles;

- ix) one Bullet Motorcycle being registration No.PB-91B-7334 which is registered in the petitioner's name;
- x) Truck bearing registration No.PB-10HA-0152 which is registered in the name of one Harpreet Singh;
- xi) 135 empty boxes of various costly scotch liquor brands;
- xii) 4 boxes of Covers/Caps of various costly scotch liquor brands and
- xiii) 1 box of stickers of various costly scotch liquor brands.

Two persons namely Ankush Kumar and Rakesh Kumar were also arrested from the spot who stated that they were merely labourers whose services has been engaged by the petitioner.

In view of the seriousness of the crime, to conduct further investigations in the matter, the State constituted a Special Investigation Team (for short-the SIT) which was headed by the Inspector General of Police (Crime-I). Under supervision of the said SIT Harpreet Singh, who was the owner of the house from where the aforesaid recoveries were made, was arrested on 11.06.2020. Harpreet Singh stated before the investigating agency that his house was being used by the petitioner and his partner Suresh Kumar for the purpose of bottling spurious liquor and the said Suresh Kumar had recently brought 400 boxes of country made liquor from Chandigarh and other areas and given them to the petitioner to be filled in empty bottles of scotch whisky. On the basis of such information Suresh Kumar was also arrested on 11.06.2020. Further investigations revealed that one Rajesh Chhabra was also involved in aforesaid crime who was arrested on 16.06.2020. Since in the last two months the petitioner was found to have

made about 580 calls to one Lovepreet Singh, he (Lovepreet Singh) was also nominated as an accused.

The above investigations conducted so far have revealed that the petitioner is deeply involved in the filling up of cheap liquor in empty bottles of scotch whisky and sale thereof after fixing thereupon fake holograms to make the bottles to appear as genuine. For the said purpose the petitioner was using Harpreet Singh's premises from where his motorcycle was recovered and that to do the aforesaid job for him he had also employed persons which included Ankush Kumar and Rakesh Kumar. Thus, the petitioner is alleged to have defrauded the public at large and playing with their health/life which are extremely serious allegations.

Whether there are other places being used by the petitioner for the aforesaid crime he is alleged to have committed; the scale of the petitioner's afore referred alleged illegal business activities ; involvement of other partners/persons in the alleged crime; for how long the petitioner has allegedly been indulging in the above activities and what exactly is the petitioner's modus operandi to execute the crime he is alleged to have committed are only some of the issues on which light can be thrown only through the petitioner's custodial interrogation.

In view of the above, this petition for the grant of anticipatory bail is not found worthy of acceptance.

Dismissed.

It is clarified that the above observations have been made only for the limited purpose of deciding the present bail application at the time when investigation into the allegations against the petitioner is pending and

thus the same would not be construed to be an expression of opinion on the merits of the case.

June 30, 2020

Jyoti-IV

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasonedYes/NoWhether ReportableYes/No