

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.111

CRM-M-12355-2020 (O&M)

Date of decision : 29.5.2020

Krishan

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vikas Gulia, Advocate, for the petitioner.

Mr. Manish Sharma, AAG, Haryana.

SUDHIR MITTAL, J. (Oral)

The petitioner seeks anticipatory bail in case FIR No.180 dated 10.4.2020, registered at Police Station Sonipat Sadar, District, Sonipat, under Section 188 IPC and Section 61 of Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020).

According to the allegations in the FIR, 205 boxes of country made liquor were recovered from two persons, who disclosed the petitioner to be owner thereof.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. Neither the liquor belongs to him nor the place of recovery belongs to him. Disclosure statement of a co-accused is no evidence in the eye of law and thus, the petitioner deserves to be granted anticipatory bail.

A written reply has been filed on behalf of the State of Haryana, according to which, the petitioner is an accused in seven other cases, out of which, four are under the Punjab Excise Act, 1914.

It is apparent that the allegation against the petitioner is that he was illegally dealing in country made liquor during the period of lockdown.

The allegations appear to be well-founded as the petitioner has a history of illegally dealing in liquor. Thus, his custodial interrogation is necessary.

For the aforementioned reasons, I do not deem it appropriate to grant anticipatory bail to the petitioner and the petition is accordingly, dismissed.

(SUDHIR MITTAL)
JUDGE

29.5.2020
Ramandeep Singh
Whether speaking / reasoned
Whether Reportable

Yes / No
Yes/ No