

101

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19668-2020
Date of decision-24.07.2020

Varinder Pal

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. D.S.Adlakha, Advocate for the petitioner.

MANOJ BAJAJ, J.

Petitioner has filed this second petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.60 dated 22.05.2020 under Section 61 of Punjab Excise Act, 1914 registered at Police Station Bhadson, District Patiala.

Learned counsel has argued that according to the prosecution, petitioner was named in the secret information, however, at the time of recovery of the illicit liquor from the vehicle in question, he was not arrested from the spot. It is pointed out by him that the vehicle in question belongs to one Shamsher Singh and the ownership of the said vehicle is being attached to the petitioner on the strength of an affidavit given by him. He submits that the recovery has already been effected and therefore, his custodial interrogation may not be necessary.

Learned counsel fairly concedes that this is the second petition

on behalf of the petitioner for grant of pre-arrest bail and in the previous petition, the above ground raised herein was not pleaded. He submits that this ground is enough for entertaining the second petition.

After hearing learned counsel for the petitioner, this Court does not find any merit in the above contention, particularly when it is not disputed by him that the co-accused (Sukhdeep Singh) who was arrested on the spot also disclosed the name of the petitioner in his disclosure statement to the Police.

During the course of hearing, it is also not disputed by Mr. Adlakha that the petitioner is facing prosecution in a similar case bearing FIR No.50 dated 17.05.2020 under Section 61 of Punjab Excise Act, 1914, registered at Police Station Mulepur, District Fatehgarh Sahib. However, according to him, the petitioner was extended the concession of anticipatory bail in the said case.

Considering the above background of the case, this Court is not inclined to entertain the second petition for grant of anticipatory bail to the petitioner on the same cause of action.

Resultantly, petition is dismissed.

(MANOJ BAJAJ)
JUDGE

24.07.2020

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No