

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

**Sr. No.203**

**CRM-M-21090-2020**

**Date of decision: 07.08.2020**

Baljit Singh

....Petitioner

versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present: Mr. Shehbaz Thind, Advocate  
for the petitioner.

Mr. N.K. Banka, DAG, Punjab.

\* \* \*

**DEEPAK SIBAL, J. (Oral)**

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C., the petitioners seek the grant of anticipatory bail in FIR No.79 dated 11.06.2020, registered under Sections 61 of the Punjab Excise Act, 1914 (for short – the Excise Act) at Police Station Sidhwan Bet, Tehsil Jagraon, District Ludhiana.

The case of the prosecution is that on 11.06.2020 while ASI Sukhwinder Singh and other police officials of Narcotic Cell, Jagraon were present at Bus Stand of village Gidderwindi, they received a secret information that the petitioner is habitual of distilling illicit liquor and if a raid is conducted at his house heavy quantity of illicit liquor could be recovered. On the basis of such information, the aforesaid FIR was registered and a raid was conducted at the petitioner's house. On seeing the police party, the petitioner managed to escape from the spot. However, 100 litres of illicit liquor, which was found concealed in the petitioner's

house was recovered. The drum containing 100 litres illicit liquor was taken into possession and deposited in the Malkhana of the Police Station at Sidhwan Bet. On 25.06.2020, Excise Inspector, Circle Jagraon tested the contents of the drum and found that the same to be illicit liquor.

Learned counsel for the petitioner submitted that as per alleged secret information which formed the basis of the FIR in question the person alleged to be manufacturing and selling illicit liquor was aged 30/32 years whereas the petitioner is aged 18 years. Thus, the petitioner could not be the accused person against whom secret information was received by the police.

Learned State counsel opposes the grant of bail on the ground that 100 litres of illicit liquor has been recovered from the petitioner's house; the petitioner's conduct of fleeing from the spot should also be taken into consideration to dismiss the present petition and the petitioner is a habitual offender as he is facing trial in another case being FIR No.172 dated 17.08.2019 registered under Sections 61/1/14 of the Excise Act at Police Station Sidhwan Bet in which 30 bottles of illicit liquor were recovered from him.

100 litres of illicit liquor have been recovered from the house of the petitioner; on seeing the police party the petitioner is alleged to have evaded arrest by fleeing away; there is another case under the Excise Act in which the petitioner faces trial and while on bail in the other case he is alleged to have committed the present offence.

In view of the above as also in the light of the recent incidents in the State of Punjab, in which over 130 persons have died due to consumption of illicit liquor, the petitioner's custodial interrogation is found to be necessary. Resultantly, the present is not considered a fit case for the

grant of anticipatory bail.

Dismissed.

(DEEPAK SIBAL)  
JUDGE

August 07, 2020  
*Jyoti 1*

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |