

**205 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH  
(through video conferencing)**

CRM-M-22426-2020  
Decided on : 22.09.2020

Jagir Chand

..... Petitioner

Versus

State of Punjab

..... Respondent

**CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Vipin Mahajan, Advocate  
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

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**Manjari Nehru Kaul, J.**

Instant petition has been filed under Section 438 Cr.PC for grant of regular bail to the petitioner in case FIR No.142 dated 23.07.2020 registered under Section 61 of Punjab Excise Act, 1914 at Police Station Kalanaur, District Gurdaspur.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the FIR in question. It is further submitted that neither the petitioner was apprehended on the spot nor any recovery was effected from him. It has also been contended that since the petitioner is suffering from a kidney ailment for the last 15 years, the concession of bail be extended to the petitioner, more so, in the prevailing situation due to COVID-19.

Per contra, learned State counsel on instructions from ASI Jugal Kishore has apprised the Court that the petitioner is involved in as many as 14 cases of similar nature including the present one. She further submits that the petitioner stands convicted in 8 cases whereas there are two cases,

which are pending investigation and he is facing trial in rest of the cases. She has further contended that the petitioner was specifically named in the secret information, which was received to the effect that he was distilling and selling illicit liquor, which had been concealed in a pond across his house.

Heard.

In the wake of the antecedents of the petitioner and the fact that he was specifically named in the FIR in question, no ground for grant of anticipatory bail is made out. Accordingly, the present petition stands dismissed. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

Learned counsel for the petitioner submits that the petitioner would surrender before the trial court and a direction be issued to the Court concerned to decide his bail application expeditiously as he is suffering from kidney ailment.

In the circumstances as and when, if the petitioner moves an application for grant of regular bail under Section 439 Cr.P.C. before the Court below, the same may be decided expeditiously preferably, within a period of one week, in accordance with law.

(MANJARI NEHRU KAUL)  
JUDGE

22.09.2020

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Whether speaking/reasoned:

Yes/No

Whether reportable :

Yes/No