

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

101

CRM-M-23775 of 2020

Date of Decision:26.8.2020

Jasdeep Singh

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.C.S.Rana, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioner seeks the concession of anticipatory bail, upon FIR no.50, dated 22.4.2020, having been registered at Police Station Sadar Khanna, District Ludhiana, for the alleged commission of offences punishable under Section 61 of the Punjab Excise Act, 1914, Sections 420/465/468/471/269 of the IPC, and Section 51 of the Disaster Management Act, 2005.

Learned counsel for the petitioner submits that the basis of the FIR is only on secret information, with the petitioner in fact not having been apprehended at the spot and his name having been allegedly disclosed by one of the co-accused and further, that there is no other criminal case registered against him and consequently, with all recoveries already having been made from those who were apprehended at the spot (as per the case of the investigating agency), there would be no reason to keep him in custody.

Notice of motion.

Mr.Bhupinder Beniwal, learned AAG, Punjab, accepts notice at the asking of the court, he already having received instructions in advance.

He submits that the petitioners' name was disclosed as one of those who purchased the illicit liquor and distributed it, with such disclosure having been made by Harvinder Chadha, who was arrested at the spot from where a huge recovery of illicit liquor was made, as is detailed in the status report filed by the Superintendent of Police (Investigation), Police District Khanna, in reply to CRM-M-15256 of 2020 (listed at sr.no.105 in the urgent motion list today).

He further submits that 127 phone calls were found to have been made by the petitioner to another accused, i.e. Maninder Singh @ Manni, on the same day as the raid was conducted, with Maninder Singh having been also arrested at the spot from where the liquor was recovered.

That being so, though learned counsel for the petitioner reiterates what he has already argued hereinabove, in my opinion, this is not a fit case where the petitioner can be admitted to anticipatory bail.

Consequently, this petition is dismissed.

However, obviously, nothing stated hereinabove shall be taken as an observation on the actual merits of the case for or against the petitioner, but only in the context of whether he can be admitted to pre-arrest bail or not.

26.8.2020

pk

Whether speaking/reasoned

Whether Reportable

(AMOL RATTAN SINGH)

JUDGE

Yes/No

No/Yes