

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

109

**CRM-M-25413-2020(O&M)
Date of Order:01.09.2020**

MUKHTIAR SINGH

..Petitioner

Versus

STATE OF PUNJAB

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ritesh Aggarwal, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

ANIL KSHETARPAL, J(Oral)

The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.102, dated 10.08.2020, registered under Section 61/78(2) of the Excise Act, 1914 and Section 188 IPC, at Police Station Passiana.

In a nutshell, the case of the prosecution has been noticed by the learned Additional Sessions Judge, Patiala, in para 2 of the order dated 21.08.2020, which is extracted as under:-

“2. Brief facts relevant for disposal of present bail application are that on 10.8.2020 police party headed by SI Kashmir Singh, in connection with patrolling, reached near under bridge, Passiana, when one car was seen coming from the side of Passiana side, which was signaled to stop. However, the driver of the car, on seeing the police party, tried to turn the car backward but the car stopped due to narrow space. The car driver fled away from the spot after alighting from the car, who was chased but could not be apprehended due to dark. Upon checking the registration number of car was found to be PB 3T 7619. The Investigating Officer checked the ownership of the car on Vahhan Aap of the Government and car was found to be in the name of Mukhtiar Singh. Upon checking of car, from the dickey of car, 144 bottles of country made liquor mark First Choice, for sale in Haryana, were recovered, which were taken into possession.”

Learned counsel for the petitioner contends that no doubt the petitioner is owner of the motor car which was seized from the spot with 144 bottles of illegal liquor but the custodial interrogation of the petitioner shall not be required.

On the other hand, learned counsel for the State, on instructions from ASI Sher Singh, has pointed out that the petitioner is a habitual offender. He is involved in 5 cases under the Punjab Excise Act, 1914, 3 cases under the Narcotic Drugs and Psychotropic Substances Act, 1985 and one case under the Indian Penal Code, 1860.

Keeping in view the antecedents of the petitioner, this court is not inclined to grant pre-arrest bail to the petitioner.

Dismissed

September 01, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No