

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(105)

CRM-M-30437-2020

Date of Decision: September 30, 2020

Mukhtiar Singh @ Naiby

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Balraj Singh Sidhu, Advocate, for the petitioners.

Mr. Sandeep Singh Deol, Deputy Advocate General, Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

Present petition has been filed under Section 438 Cr.P.C for the grant of anticipatory bail to the petitioners in respect of FIR No.165 dated 23.08.2020 under Section 61/1/14 of the Excise Act, 1914 registered at Police Station Nathana, District Bhatinda.

Learned counsel for the petitioner argues that the petitioner has falsely been roped in the present FIR though, he has not committed any offence as alleged in the FIR. Learned counsel for the petitioner submits that as the petitioner is ready to join the investigation and co-operate with the same, he may be granted the benefit of anticipatory bail.

Notice of motion.

Mr. Sandeep Singh Deol, learned Deputy Advocate General, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of the respondent.

Learned counsel for the respondent submits that the petitioner was a habitual of distilling illicit liquor. Learned counsel for the respondent further submits that 40 litres of Lahan, which was used for manufacturing the illicit liquor, has been recovered from the motor room in the fields of the petitioner and therefore, the petitioner's custodial interrogation is very necessary to unearth the truth about manufacturing and selling of illicit liquor and the prayer of the petitioner for the grant of anticipatory bail may kindly be declined.

I have heard learned counsel for the parties and have gone through the record with their able assistance.

As per the allegation, which is very serious in nature, 40 litres of Lahan, which is used for manufacturing the illicit liquor has been recovered. The custodial interrogation is necessary to find out the truth so as to unearth the modus operandi not only in manufacturing of the illicit liquor but of the selling of the same as well. Due to the consumption of spurious illicit liquor, a large number of civilians have lost their life.

Keeping in view the above, as the allegations against the petitioners, are grievous and the investigation to unearth the truth of manufacturing and selling of illicit liquor is required to be done to the maximum extent possible and the same can only be done during the custodial interrogation, no ground is made out for the grant of the benefit of anticipatory bail to the petitioner.

Dismissed.

(HARSIMRAN SINGH SETHI)
JUDGE

September 30, 2020
harsha/naresh.k

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