

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

**203**

**CRM-M -37097-2020**

**Date of Decision:** 14.12.2020

Jagdev Singh

.....Petitioner

Versus

State of Punjab

....Respondent

**CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Inderjit Sharma, Advocate  
for the petitioner.

Mr. Avtar Singh Sandhu, Additional A.G. Punjab

**HARNARESH SINGH GILL, J.**

Case is taken up for hearing through video conferencing.

Status report by way of an affidavit dated 07.12.2020 of  
Deputy Superintendent of Police, Sub-Division Rural, District Bathinda,  
filed through e-mail, is taken on record.

Prayer in this petition, filed under Section 438 Cr.P.C., is for  
grant of anticipatory bail in case bearing FIR No.0197 dated 26.09.2020,  
registered under Sections 61 and 78 of the Punjab Excise Act, 1914 at PS  
Sangat, District Bathinda.

Learned counsel for the petitioner states that though 480  
bottles of country made liquor had allegedly been recovered from the  
vehicle, yet the fact remains that the petitioner was not arrested on the  
spot.

At this stage, learned State counsel has pointed out that the  
petitioner is a person of criminal antecedents inasmuch as there are six  
other criminal cases registered against him including one more FIR under

the Excise Act. It has also been pointed out that during investigation, the bill and one warranty card of the tyres were recovered from the vehicle, which were issued in the name of the petitioner.

I have heard the learned counsel for the parties.

As noticed above, there is no counter to the fact on behalf of the petitioner that six more criminal cases, including one more FIR under the Excise Act, are registered against the petitioner. Moreover, the factum of the petitioner's not being arrested from the spot, loses its significance once it is established during the investigation that the bill and warranty card of the tyres of the vehicle recovered from its dashboard, were in the name of the petitioner. Thus, taking into account the criminal antecedents of the petitioner, if enlarged on bail, he may involve himself in other cases of similar nature or otherwise.

Keeping in view the above, no case is made out for grant of anticipatory bail to the petitioner.

Dismissed.

**(HARNARESH SINGH GILL)**  
**JUDGE**

14.12.2020

Aman Jain

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No