

CRM-M-41719 of 2020

**103IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-41719 of 2020
Date of decision: 11.12.2020

Ranjodh Singh

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Simranjit Singh, Advocate, for the petitioner.
Mr. R.S. Thind, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.165 dated 16.11.2020 registered under Section 61/1/14 of the Punjab Excise Act, 1914 (for short 'the Excise Act') at Police Station Longowal, District Sangrur.

Briefly stated, the case of the prosecution is that on receipt of secret information with regard to smuggling of liquor from the State of Haryana to the State of Punjab, a Swift Dzire car bearing registration No.PB-13-BJ-4694, coming from the side of Sangrur towards village Ubhawal was stopped, the driver of which managed to flee. On search of such car 154 sealed bottles of liquor make First Choice and 84 sealed bottles of liquor make Shahi Haryana were recovered and since the car

CRM-M-41719 of 2020

was registered in the name of the petitioner he was nominated as an accused in the case.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case; only a few days ago the car in question had been sold by the petitioner to co-accused Baldev Singh and he is ready and willing to join the investigation as and when called for by the investigating agency.

Learned State counsel, who appears on advance notice, opposes the grant of anticipatory bail to the petitioner on the ground that the petitioner is a known smuggler of liquor from the State of Haryana, where the liquor is cheaper, to the State of Punjab; in addition to the present case there are two other cases under the Excise Act which are pending against the petitioner and as per the registration records the car in question is still owned by the petitioner.

Before the registration of the present case the petitioner is already involved in two other cases under the Excise Act; while on bail in the afore two cases he is alleged to have committed the crime in question; he has thus mis-used the concession of bail granted to him in those cases; as per record maintained by the registration authorities the car from which huge quantity of smuggled liquor has been recovered is owned by the petitioner; the veracity of the affidavit which is dated only a few days before the date of the present FIR, through which the petitioner alleges sale of car to co-accused Baldev Singh needs to be gone into and the petitioner's alleged customers, suppliers and overall *modus operandi* warrants deeper probe.

CRM-M-41719 of 2020

In view of the above reasons which are inclusive and not exhaustive, custodial interrogation of the petitioner is considered necessary.

Dismissed.

It is clarified that the above observations have been made by this Court to decide the present petition seeking anticipatory bail in which investigation is still going on and therefore these observations be not construed as opinion on the merits of the case as trial of the petitioner is yet to take place.

December 11, 2020
R.S.

(Deepak Sibal)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No