

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

CRM-M-6272-2021(O&M)
Decided on : 27.04.2021

RAJINDER SINGH @ HAPPY

... Petitioner(s)

Versus

THE STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL
(Through Video Conferencing)

PRESENT: Mr. Ankur Bansal, Advocate
for the petitioner.

Mr. Luvinder Sofat, AAG Punjab
assisted by ASI Navdeep Singh.

MANJARI NEHRU KAUL, J. (Oral)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.289, dated 29.12.2020 under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Kartarpur, District Jalandhar.

Status report has been filed by the State. The same is taken on record, subject to all just exceptions. The Registry is directed to tag the same at appropriate place.

Learned counsel submits that the petitioner has been falsely implicated in the case in hand, which is evident from the fact that neither was he apprehended from the spot from where the alleged recovery of 96 bottles of liquor was effected nor any independent witness joined by the police at the time of alleged raid, which casts a shadow of doubt on the recovery allegedly effected. He further submits that even otherwise recovery already stands effected, hence his custodial interrogation would not be required in the case in hand.

Per contra, learned State counsel while opposing the prayer

and submissions made by the learned counsel for the petitioner on instruction from ASI Navdeep Singh has submitted that the petitioner is a man of criminal antecedents, as he is involved in a number of similar cases, which finds mentioned in the status report dated 02.02.2021 filed by the State. Learned State counsel has further submitted that not only is the petitioner involved in cases under the Excise Act but was also involved in 02 cases under the NDPS Act, though he stands acquitted in one of them.

Heard.

In the wake of criminal antecedents of the petitioner, this Court is not inclined to extend the concession of anticipatory bail to the petitioner. However, it is made clear that anything observed hereinabove shall not be construed as an expression of opinion on the merits of the case.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

April 27, 2021

S.Sharma(syr)

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*