

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

CRM-M-9342-2021 (O&M)

Date of Decision:- 3.9.2021

Sachin

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Karanjeet Singh Brar, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by SI Akash Sharma.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of regular bail in a case registered vide FIR No. 274 dated 8.12.2020 under Sections 420, 465, 468, 471, 473/120-B IPC and under Sections 61/78(2) of Punjab Excise Act at Police Station Rajpura, District Patiala.
2. The FIR was lodged with the allegation that accused Dipesh Grover, Karaj Singh, Hardeep Singh, Gurpreet Singh alongwith some unknown persons indulged in preparing adulterated/illicit liquor, which was being prepared from Extra Neutral Alcohol with the help of a machine in the godown in front of Scholar Public School, Rajpura bye-pass.
3. Pursuant to said information, a raid was conducted at the nominated place and Dipesh Grover and Karaj Singh were found drawing Extra Neutral Alcohol from a tanker bearing Registration No. HR-37D-6287 in a drum for

the purpose of preparing illicit/adulterated liquor. It is further alleged that huge quantity of Extra Neutral Alcohol was recovered from the tanker in question. Dipesh Grover and Karaj Singh were arrested at the spot. Some other vehicles were also found at the premises in question. It is the case of prosecution that petitioner was later nominated as an accused on the basis of disclosure statement made by Dipesh Grover on 30.12.2020 and was later arrested on 31.12.2020 on the allegation that he was employee of Dipesh Grover and used to affix seals on the liquor bottles and used to supply the same to various persons.

4. The learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in the present case and that he was merely employed as Cook of the main accused Dipesh Grover and was not associated with his business in any manner and was getting a consolidated salary of ₹ 6,000/- p.m. as a Cook.
5. Opposing the petition, the learned State counsel has submitted that since the petitioner has been found to be associated with a huge scam of preparation of illicit liquor from Extra Neutral Alcohol, which is not only injurious to health of those who consume it but can even prove fatal, no case for grant of bail is made out. The learned State counsel has submitted that amongst the vehicles which were found parked in the premises in question, two of the scooters i.e. scooter bearing registration No. PB-11-CC-6939 and PB-39-G-2078 were found to be registered in the name of Sunita, who is none else but mother of the petitioner and as such, the complicity of the petitioner and his association with the main accused is clearly evident.
6. I have considered rival submissions addressed before this Court.

7. It is not in dispute that the petitioner has been nominated as an accused pursuant to a disclosure statement alleged to have been made by Dipesh Grover. In any case, the petitioner is not denying that he is working for Dipesh Grover but has taken a stand that he is merely working as a Cook. The presence of scooter of the petitioner in the premises in question, thus, can be attributed to the fact that he is in employment of the main accused Dipesh Grover. The petitioner, in any case, has been behind bars since the last about 8 months. In these circumstances, when the petitioner was not arrested at the spot and is being nominated on the basis of disclosure statement and has already been behind bars since the last about 8 months, further detention of the petitioner will not serve any useful purpose.
8. The petition, as such, is accepted and the petitioner is ordered to be released on regular bail on his furnishing bail bonds/surety bonds to the satisfaction of learned trial Court/Chief Judicial Magistrate/Duty Magistrate concerned.

3.9.2021

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No