

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.109

CRM-M-18857-2021

Date of decision : 12.05.2021

Rajesh

..... Petitioner

VERSUS

State of Haryana

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Deepak Kundu, Advocate, for the petitioner.

Mr.Kuldeep Tiwari, Addl.A.G., Haryana.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.55 dated 11.02.2021, registered under Section 420 IPC and Section 61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020), at Police Station Safidon, District Jind.

The case of the prosecution is that during the course of an inspection by an Excise Inspector in village Todikheri, Tehsil Safidon, District Jind it was found that one Randeep was selling liquor from a shop on which "English and Desi Wine Shop" was written. On inquiry, the said Randeep informed the Inspector that he had been employed by the petitioner and that he could not produce any licence or document authorising him to sell the liquor from the premises from which he was doing so. Search of the premises in question resulted in the recovery of 15 full bottles, 22 half bottles and 16 quarter bottles of county made liquor.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case; he has no connection with the alleged

salesman or the wine shop in question; the Inspector has involved the petitioner for *malafide* reasons; the petitioner has a licence (Annexure P/2) to sell liquor from the premises in question and that the petitioner is also ready and willing to join the investigation as and when called by the investigating agency.

It is not disputed that the petitioner was involved in 23 other criminal cases and that he stands convicted in 11 of such cases.

On one hand the petitioner says that he has no connection with the liquor vend in question and on the other hand he seeks to justify such sale through licence (Annexure P/2) which pertains to village Shanpur.

In view of the above contradictory stand taken by the petitioner and his criminal antecedents, no merit is found in the present petition.

Dismissed.

It is clarified that the above observations have been made only for the limited purpose of deciding the present application for anticipatory bail and the same would not be construed to be an expression of opinion on the merits of the case.

12.05.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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