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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.18572 of 2021 (O&M)

Date of decision: 05.05.2021

Gursewak Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Sukhveer Kaur, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN J. (Oral)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.31 dated 13.03.2021 registered under Sections 61/1/14, 78(2) of the Punjab Excise Act, 1914 at Police Station Raja Sansi, District Amritsar Rural.

Counsel for the petitioner has submitted that the FIR was registered on a secret information that the petitioner – Gursewak Singh along with the co-accused Varinder Singh and their wives are selling liquor in their house in village Kotli Sakka and will take the same in their car bearing No.PB23-M-4406 for supplying the same to other villages. On this, after registration of the FIR, a police party was sent and the recovery of 04 working stills, 09 drums each containing 200 Kgs of Lahan, 12000 Kgs of mixture and 105 bottles of illicit liquor was effected, however, the petitioner and other accused, on coming to know that the police is coming, ran away from the spot. It is further submitted that there is no independent witness and the recovery has

CASE HEARD THROUGH VIDEO CONFERENCING

been effected in the absence of the petitioner.

Counsel for the State has, however, opposed the prayer for bail on the ground that such a huge quantity of recovery cannot be planted upon the petitioner, in any manner. It is further submitted that the petitioner is involved in 05 more cases i.e. FIR No.77 of 2019, FIR No.05 of 2020, FIR No.23 of 2020, FIR No.55 of 2020 and FIR No.99 of 2020, all registered under Section 61 of the Punjab Excise Act and therefore, no presumption can be drawn that the petitioner is an innocent person as he is habitual of committing similar offences.

After hearing the counsel for the parties and considering the serious allegations against the petitioner and also in view of the fact that the petitioner is involved in 05 more FIRs of similar nature, I do not find to grant the concession of anticipatory bail to the petitioner.

Dismissed.

(ARVIND SINGH SANGWAN)
JUDGE

05.05.2021
yakub

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No