

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

201(3)

**CRM-M-16193-2020
Decided on : 13.01.2021**

Jitender

. . . Petitioner(s)

Versus

State of Haryana

. . . Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Bipan Ghai, Sr. Advocate with
Mr. Paras Talwar, Advocate, for the petitioner(s).

Mr. Rajiv Goel, DAG, Haryana
assisted by SI Naresh.

MANJARI NEHRU KAUL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner, in case FIR No. 196, dated 05.05.2020, registered under Sections 188, 420, 120-B of IPC and Section 1/14/61 of the Punjab Excise Act, 1914 (Haryana Amendment Bill, 2020), registered at Police Station Kharkhoda, District Sonipat.

Learned Sr. counsel for the petitioner contends that the petitioner has been falsely implicated in the case in hand on account of a grudge which the police was nursing against the petitioner's brother, who had complained against them for committing theft of liquor from the godown owned by their mother. It has further been contended that in fact, the aforementioned godown had been in the possession of the police and the Excise Department, wherein, they use to keep the case property of several cases, recovered by them. Learned Sr. counsel further submits that since the petitioner had no access to the godown where the liquor cartons had been kept, lends further credence to his false implication in the instant case. Hence, a prayer has been made for grant of concession of anticipatory bail to the petitioner.

Per contra, learned State counsel has vehemently opposed the prayer and submissions made by learned counsel for the petitioner and reiterated the allegations levelled in the FIR in question and submitted that the custodial interrogation of the petitioner would be required in the instant case. It has been contended that when the godown owned by the mother of the petitioner was broken open by the police officials and the Excise Department on 05.05.2020, a huge recovery of liquor, as is already detailed in the FIR in question, was effected. It has been further contended that the liquor recovered had been illegally kept in the godown by the petitioner and the co-accused during the lockdown period for sale and thus, they were instrumental in causing a huge loss to the State exchequer. It has been also contended that the petitioner had connived with certain officials from the Excise Department and the police, who too have been made an accused in the FIR in question.

Heard.

Prima facie, the petitioner appears to be a part of a liquor syndicate and he in connivance with the officials of the Excise Department and police officials, indulged in nefarious activities, which resulted in a huge loss to the State exchequer. In the circumstances, the petitioner does not deserve the concession of anticipatory bail, as his custodial interrogation would be imperative to bust the liquor syndicate, more so, when he is involved in as many as 15 other cases of similar nature.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

January 13, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*