

CRM-M-21950 OF 2021 (O&M)
DATE OF DECISION : 18.06.2021

Rohit Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. A. S. Manaise, Advocate,
for the petitioner.

Mr. Amit Mehta, Senior DAG, Punjab.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner has approached this Court for grant of anticipatory bail in case FIR No.28 dated 13.04.2021 registered under Sections 379/380/328/411/420 IPC and Sections 61/63,78 of the Punjab Excise Act, at Police Station Talwara, District Hoshiarpur.

2. Per FIR, which was registered on the basis of secret information, petitioner along with others were allegedly indulgent in preparation of illicit, intoxicant and poisonous liquor containing Ethyl Alcohol (denatured chemical), after stealing spirit from tankers.

3. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. He contends that neither the petitioner was present at the sport nor any recovery was effected from him. As per prosecution story, petitioner was named by the co-accused Dara Khan in his custodial disclosure statements, which is not admissible in law. He further argues that

there is no evidence to prove that the petitioner was involved in stealing the spirit and preparing illicit liquor.

4. Per contra, learned State counsel submits that petitioner is a habitual offender as two more cases of similar nature are registered against him.

5. I have heard rival the contentions.

6. The petitioner seems to have dubious antecedents. Taking into consideration the gravity of offence, no ground for grant of anticipatory bail is made out.

8. Dismissed.

JUNE 18, 2021
Shalini

(ARUN MONGA)
JUDGE

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