

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

CRM-M-22906-2020(O&M)

Date of decision:-20.4.2021

Sukhdev Singh @ Lala

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE H.S.MADAAN

Present: Ms.Satwant Mehta, Advocate
for the petitioner.

Mr.J.S. Ghuman, DAG, Punjab.

H.S. MADAAN, J.

Case taken up through video conferencing.

This petition for regular bail has been filed by petitioner –
Sukhdev Singh @ Lala, aged about 30 years, resident of village Jagatpura,
Thathgarh, Tehsil and District Tarn Taran, an accused in FIR No.117
dated 27.6.2020, under Sections 61 and 78 of Punjab Excise Act, 1914
and Sections 177, 181, 192 of the Motor Vehicles Act, 1988, registered
with Police Station Goraya, District Jalandhar.

In nutshell, the prosecution story is that on 27.6.2020, a
police party led by SI Labh Singh was present at Chachrari Highway
Road, Opposite Petrol Pump within jurisdiction of Police Station Goraya,
District Jalandhar in connection with checking of vehicles; during such

checking, a vehicle make Endeavour black in colour bearing registration No.PB-11P-2424 came from Goraya side and despite being signalled by SI Labh Singh to stop, the driver of the said vehicle tried to retreat, however, the vehicle was intercepted and on being asked, the driver of the vehicle disclosed his name as Sarwan Singh @ Kala son of Kansa Singh, whereas other person sitting in the vehicle gave his name as Uttam Singh @ Laddi son of Jagtar Singh; the Endeavour vehicle was searched and 15 cans of plastic containing spirit alcohol were recovered; each can was containing 35/35 liter of spirit alcohol, total being 525 liter. Formal FIR in the matter was recorded. The investigation in the case started. As a result of interrogation of Sarwan Singh @ Kala and Uttam Singh @ Laddi, accused Sukhdev Singh @ Lala (present petitioner) and Sonu were nominated as accused. They were arrested in this case on 30.6.2020. They had filed application for regular bail in the Court of Sessions, which was assigned to Additional Sessions Judge, Jalandhar, who vide order dated 21.7.2020 had dismissed the said application. As such, the petitioners have approached this Court with the same request.

Notice of the petition was given to respondent – State and counsel representing the State has put in appearance.

I have heard learned counsel for the parties besides going through the record.

A perusal of written reply filed on behalf of the State goes to show that the petitioner is involved in four more criminal cases as per details below:

1. FIR No.232 dated 26.11.2014 under Sections 379, 411 IPC and

Section 22 of NDPS Act, PS Gate Hakimian, Amritsar.

2. FIR No.134 dated 11.04.2020 under Sections 188, 269, 270, 271 IPC, PS Jhabaal, District Tarn Taran.
3. FIR No.105 dated 12.07.2016, under Sections 61 of Excise Act, PS Gate Hakimian, District Amritsar.
4. FIR No.116 dated 27.06.2020, under Sections 61, 63, 68, 78 of Excise Act and Sections 177, 181, 192 of Motor Vehicle Act, PS Goraya, District Jalandhar.

In that way, accused having been convicted in FIR No.232 of 2014 and facing trial in four more cases including the present one, goes to show that he is a habitual criminal and if released on bail there is every likelihood of his taking to path of crime again, disturbing the public peace and tranquility. There is reasonable possibility of his absconding and tampering with the prosecution evidence. Therefore, grant of regular bail to the petitioner is not called for.

Thus, finding no merit in the petition, the same stands dismissed.

It may be mentioned here that nothing discussed hereinabove shall have any bearing on the merits of the case.

20.4.2021
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No