

CRM-M-23135 of 2020

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-23135 of 2020

Date of decision: 17.02.2021

Yashpal Singh @ Rinkle

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. J.S.Thakur, Advocate, for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

The instant petition has been filed under Section 438 of the Code of Criminal Procedure seeking anticipatory bail in FIR No.193 dated 17.07.2020 registered under Sections 420, 467, 468, 471 of Indian Penal Code, 1860 and Section 61 of Punjab Excise Act, 1914 at Police Station Rama Mandi, District Jalandhar.

As per the version of the prosecution, FIR was registered on the basis of a secret information that Yashpal Singh @ Rinkle (present petitioner), who is indulging in liquor smuggling, is carrying liquor in a car alongwith his co-accused and in case, check post is set-up, he could be apprehended.

Counsel for the petitioner urges that a false case has been framed against the petitioner and he is totally innocent. He submits that the petitioner owns a clothing shop. It is his argument that the petitioner is

being deliberately involved in number of cases as the police officials are hostile towards him.

Per contra, State counsel upon instructions from ASI Faquir Singh has opposed the petition. He has placed reliance upon the status report to submit that 13 other cases are pending against the petitioner all of which have been registered under the Punjab Excise Act, 1914.

I have considered the submissions of the parties.

Perusal of the status report shows that the petitioner is involved in the following cases:-

- “i) FIR No.63 dated 02.07.2005 u/s 61/1/14 Excise Act P.S.Div.No.3 Jalandhar.*
- ii) FIR No.41 dated 02.03.2005 u/s 307/420/427/468/471 IPC Section 61/1/14 Excise Act P.S.Div.No.3 Jalandhar.*
- iii) FIR No.88 dated 19.08.2005 u/s 61/1/14 Excise Act P.S.Div.No.3 Jalandhar.*
- iv) FIR No.114 dated 13.10.2005 u/s 61/1/14 Excise Act P.S.Div.No.3 Jalandhar.*
- v) FIR No.139 dated 18.10.2006 u/s 61/1/14 Excise Act P.S.Div.No.3 Jalandhar.*
- vi) FIR No.40 dated 08.03.2014 u/s 323/325/326/148/149/506 IPC P.S.Navi Baradari Jalandhar.*
- vii) FIR No.60 dated 14.03.2015 u/s 61/1/14 Excise Act P.S.Bhargo Camp Jalandhar.*
- viii) FIR No.103 dated 10.06.2015 u/s 13-A/3/67 Gambling*

Act P.S.Navi Baradari Jalandhar.

*ix) FIR No.162 dated 09.06.2016 u/s 61/1/14 Excise Act
P.S.Sadar Jalandhar.*

*x) FIR No.65 dated 25.03.2017 u/s 61/1/14 Excise Act
P.S.Sadar Jalandhar.*

*xi) FIR No.17 dated 30.03.2020 u/s 61/1/14 Excise Act
Section 188 IPC P.S.Patara Jalandhar.*

*xii) FIR No.19 dated 19.01.2020 u/s 61/1/14 Excise Act,
Section 420 IPC P.S.Rama Mandi Jalandhar.*

*xiii) FIR No.193 dated 17.07.2020 u/s 61/1/14 Excise Act,
Section 420/467/468/471 IPC P.S.Rama Mandi Jalandhar.”*

The FIRs have been registered against the petitioner at different police stations, therefore, argument of the counsel for the petitioner that the police officials are hostile towards him does not cut any ice. The relief of anticipatory bail cannot be granted to a person who has criminal antecedents.

The petition is, accordingly, dismissed.

However, it is made clear that any observation made hereinabove shall not be construed to be an expression of opinion on the merits of the case.

February 17, 2021
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned

Yes

Whether Reportable

Yes/No