

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.41892 of 2021

Date of Decision: October 12, 2021

Gurpreet Singh & another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr.Mahesh Dheer, Advocate,
for the petitioners.

Mr.Ramandeep Sandhu, Sr.DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.152 dated 03.08.2021, under Section 61 Punjab Excise Act, 1914, registered at Police Station, Bhawanigarh, District Sangrur. The petitioners apprehend their arrest at the hands of police.

As per the FIR, on 03.08.2021, a secret information was received by the police regarding indulgence of Gurpreet Singh @ Mokha, Manpreet Singh @ Dala, Harprit Singh @ Chhota and their father Baldev Singh in selling Haryana made liquor after bringing it from Haryana in their Alto car in an illegal manner, and if, a raid is conducted at their house, country made liquor in heavy quantity can be recovered. Acting upon the said information, raid was conducted at their house and Baldev Singh was apprehended from the spot, while Gurpreet Singh @ Mokha and Manpreet Singh @ Dala fled from the spot in Alto car. Harprit Singh @ Chhota also managed to escape from the spot. On the basis of disclosure statement of Baldev Singh, 84 bottles of country made liquor make "Sofi Haryana" were

got recovered by him. On these broad allegations, the present FIR was registered.

Learned counsel for the petitioners has argued that the alleged recovery of liquor was effected from the father of the petitioners, who was arrested on the spot, and petitioners have been falsely implicated in this case. He submits that as nothing is to be recovered, the custodial interrogation of the petitioners may not be necessary as they are ready to join the investigation. He prays for anticipatory bail.

The prayer is opposed by the learned State counsel, assisted by HC Zebra Nand on the ground that the petitioners are involved in other cases of similar nature and even their mother is also an accused in case FIR No.301 dated 19.10.2019, under Section 61 Punjab Excise Act, Police Station Bhawanigarh, District Sangrur along with the petitioners and another son, namely, Harprit Singh @ Chhota. According to him, the petitioners managed to escape from the place when the recovery was effected.

After hearing the learned counsel for the parties and considering the above background, this court is of the opinion that as per prosecution, the alleged recovery of illicit liquor was effected from the house of the petitioners and apart from this case, they are involved in other cases of similar nature. Consequently, the custodial interrogation of the petitioners appears to be necessary. Resultantly, no case is made out for grant of extraordinary concession of pre-arrest bail to the petitioners.

Petition is dismissed.

October 12, 2021

ramesh

(MANOJ BAJAJ)

JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No