

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M-38885-2020

Date of Decision:11.01.2021

Lachman Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Rashpinder Singh Sodhi, Advocate,
for the petitioner.

Mr. A.S. Sandhu, Addl. A.G., Punjab.

HARI PAL VERMA, J.(Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in the present petition filed under Section 438 of the Code of Criminal Procedure, 1973 is for grant of anticipatory bail to the petitioner in FIR No.0108 dated 13.08.2020 under Sections 61,1,14 and 78 (2) of the Punjab Excise Act, 1914, registered at Police Station Julkan, Patiala.

The aforesaid FIR was registered on the allegation that on 13.08.2020 in the area of Old Bazar, Near Ahluwalia Hospital, Devigarh, 24 boxes of country-made liquor were recovered from an abandoned car bearing registration No.PB-11CM-3971. Though as per record, the said car was in the name of one Sahil, but the petitioner has allegedly purchased it

by way of an affidavit and accordingly, the present FIR was registered against the petitioner. In paragraph 11 of the petition, the petitioner has stated as under:-

“That there may be other cases against petitioner but those are not in knowledge of counsel as same has not been intimated by petitioner to counsel.”

Learned State Counsel has filed the status report by way of affidavit of Ajaypal Singh, PPS, Deputy Superintendent of Police, Rural, Patiala, District Patiala and as per information collected from the Police Station, Julkan, District Patiala, the following FIRs were also registered against the petitioner:-

“I. FIR No.53 dated 16.03.2018 under section 61/1/14 Excise Act Police Station, Sadar Patiala, District Patiala. (In this case after due investigation, challan was presented in Ld. Court and the case is still under trial before the Ld. Trial Court and now fixed for hearing on 12.01.2021).

II. FIR No.150 dated 23.09.2018 under section 61/1/14 Excise Act Police Station, Urban Estate, Patiala, District Patiala. (In this after due investigation, challan was presented in Ld. Court and the case is still under trial before the Ld. trial Court and now fixed for hearing on 18.01.2021).

III. FIR No.14 dated 05.02.2019 under section 61/1/14 Excise Act Police Station, Sanour, District Patiala. (In this after due investigation, challan was presented in Ld. Court and the petitioner was convicted on 29.01.2020 by the Ld. Trial Court).

IV. FIR No.79 dated 14.07.2019 under section 61/1/14 Excise Act Police Station, Julkan, District Patiala. (In this after due investigation, challan was presented in Ld. Court and the case is still under trial before the Ld. Trial Court and now fixed for hearing on 18.01.2021).”

In view of the aforesaid fact that the petitioner has conveniently

withheld the vital information from this Court as regards other cases having been registered against him under the Excise Act, no ground to grant anticipatory bail to the petitioner is made out.

Dismissed.

January 11, 2021
seema

(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No