

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

CRM-M-54194 of 2021

Date of decision: 23.12.2021

Malkeet Singh

Petitioner

Versus

State of Punjab

Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Hoshier Singh, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

AVNEESH JHINGAN, J (Oral):

Due to COVID-19 situation, the Court is convened through video conference.

This petition under Section 438 Cr.P.C. is filed seeking anticipatory bail in FIR No. 202 dated 27.7.2021, under Section 61 of the Punjab Excise Act, 1914 registered at Police Station Sadar Fazilka.

On a secret information that Malkeet Singh (petitioner) was habitual of selling illicit liquor, a raid was conducted. During raid, twenty six bottles of illicit liquor and 150 litres lahan were recovered out of the land of the petitioner near the back gate of his house. The petitioner was able to flee the spot.

Learned counsel for the petitioner submits that no independent witness was made to join for recovery.

Learned counsel for the State appearing on advance on

instructions from ASI-Gurinder Singh submits that on specific information, the raid was conducted, the house belongs to the petitioner, he had opened the gate in the land adjoining to the back-yard of his house and recovery was made.

Considering the fact that apart from twenty six bottles of illicit liquor, 150 litres lahan was recovered, it is a case of preparation and selling of illicit liquor and for deeper probe, custodial interrogation is required.

No case is made out for grant of anticipatory bail.

The petition is dismissed.

[AVNEESH JHINGAN]
JUDGE

23rd December, 2021
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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |